

JOURNAL
OF THE
House Of Representatives
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1963

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 7, 1963



Vol. II

WITH AN INDEX PREPARED BY THE
CLERK OF THE HOUSE

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JOURNAL OF THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA REGULAR SESSION OF 1963

SIXTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, May 28, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John P. Thomas, Associate Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Pennington
Avery	Collins	Harper	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Doggett	Ingram	Reynolds
Bethea (M)	Dominick	Jones (Covington)	Rogers
Bevill	Downing	Jones (Monroe)	Salter
Blanton	Drake	Little	Scurlock
Bolton	Edington	Locke	Sessions
Boston	Edwards (Escambia)	McCorquodale	Slate
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Snell
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Camp	Glass	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Carr	Hain	Owens	Young

A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

BILLS ON SECOND READING

Mr. Slate, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 34. To amend Section 574 of Title 52, Code of Alabama, 1940.

H. 35. To amend Section 590 of Title 52, Code of Alabama, 1940.

H. 36. To amend Act No. 522, S. 107, Regular Session 1947 (Gen. Acts 1947, p. 373), an act establishing a correctional and educational institution under the name and style of "Alabama Industrial School for Negro Children," so as to regulate the ages of children committed to such school.

H. 37. Relating to juvenile courts, providing for payment by counties of certain expenses incurred by judges and attaches of such courts.

Mr. Meeks, Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 46. Relating to motor vehicle safety; prohibiting the sale, offering for sale, or operation of certain motor vehicles that are not equipped with safety belts of a kind and installed in such manner as the director of public safety may approve; prescribing penalties for violations.

H. 121. Relating to motor vehicles, requiring that seat safety belts and anchors sold or installed for use in connection with the operation of motor vehicles on any highway in this state meet specifications prescribed by the Department of Public Safety; and prescribing penalties for violation of this Act.

H. 41. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with

amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 316. (With Amendment). To amend Code of Alabama 1940, Title 37, Section 781, which relates to boards of adjustment of incorporated cities and towns.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 313. Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1 reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 335. (With Amendment). Relating to the authority of county boards of education in counties having populations of not less than 28,000 nor more than 30,575, relative to selling and issuing interest bearing warrants.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 336. Relating to counties having a population of not less than 60,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties, and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

H. 338. To alter and rearrange the boundaries of the Town of Gordo, Pickens County, Alabama.

S. 88. To provide for the relief of Mrs. Marilyn Stewart Drake; to authorize and direct the governing body of the City of Huntsville in Madison County to pay to said Mrs. Drake the sum of five thousand dollars (\$5,000) to compensate her for the death of her husband who was killed in the course of his employment by the city.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 317. To authorize and empower the Board of Revenue, Court of County Commissioners or other like governing bodies of all counties having a population in excess of 600,000 according to the last or any subsequent federal decennial census to provide and furnish uniforms for the personnel of any county home, poor farm, or alms house, owned and operated by any such county.

H. 318. To alter, extend and rearrange the corporate limits of the City of Birmingham, in the County of Jefferson, and State of Alabama, by the inclusion within the corporate limits of said City of certain additional territory now or formerly included within the City of Fairfield.

H. 319. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said city, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 15. (With Amendment). To amend Code of Alabama 1940, Title 52, Section 100, in relation to the number and qualifications of school trustees.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 161. To provide for the filing with the State Department of Education of an annual operating statement and a consolidated fund balance sheet each year by all county boards of education, city boards of education, state-supported universities, colleges, trade schools, and other educational institutions supported in whole or in part by state funds; to provide for a form for such reports; to provide for the publishing of a statewide financial report by the State Department of Education; to provide that such report shall be a public record for inspection of all interested citizens; and to provide for the filing of such report with the Governor, the Secretary of the Senate, and the Clerk of the House of Representatives.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. McCorquodale:

H. 347. To designate all law enforcement employees of the Department of Conservation as peace officers of the State of Alabama with authority of deputy sheriffs for the enforcement of all laws and regulations of the State of Alabama as well as the laws and regulations of the Department of Conservation.

Conservation.

By Messrs. Turner (Crenshaw), Fite and Thomas:

H. 348. To make an appropriation to the United Daughters of the Confederacy for the purpose of erecting a monument to the passing of the Army and Navy of the Confederate States of America at Gettysburg, Pennsylvania.

Ways and Means.

By Messrs. Turner (Crenshaw), and Thomas:

H. 349. To Amend Section 2, subsection G (2) (d) 2 of Act No. 34, Special Session 1961, which makes appropriation to the Agricultural Center Board for the Livestock Coliseum.

Ways and Means.

By Messrs. Edwards (Escambia), Goodwyn, Edwards (Lowndes), Wood, Bassett, Glass, Sullivan, Campbell (Tuscaloosa), Vacca, Pierce, Jones (Monroe), Nettles, Daniel, Doggett, Heflin, Paulk, Cooper, Crawford, Teel, Ingram, Holladay, Baker (DeKalb), NeSmith, Slate, Burnham, Burns, Camp, Owens, Beville, Branyon, Moore, Campbell (Jackson), Hannah, Boston, Cates, Barnett, Perry and Brown (Jefferson):

H. 350. To amend Act No. 203, S. 27, Regular Session 1953 (Acts 1953, p. 267) creating the Board of Corrections of Alabama, so as to prescribe a forty hour work week for employees of such Board.

State Administration.

By Mr. Turnham:

H. 351. To adopt the Vehicle Equipment Safety Compact for the State of Alabama to insure maximum vehicle safety in the State of Alabama and her sister states; to designate the director of public safety as a member of the Vehicle Equipment Safety Commission thereby created; to prescribe the procedure for adopting recommendations of the Commission; to implement the provisions of the compact; and repealing conflicting provisions.

Transportation.

By Messrs. Nabors, Burns and Owens:

H. 352. (With Notice and Proof). To alter or rearrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 352:

NOTICE

Notice is hereby given that at a special or regular session of the 1963 Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows: An Act to alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits, and also the following additional territory in Etowah County, Alabama:

PARCEL NO. 1:

Beginning at a point in the North line of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 22 which intersects the East line of that certain tract conveyed to the Gadsden Country Club by Otto Agricola and wife, Kay H. Agricola by deed dated December 1, 1919 and recorded in Deed Record "3V", page 361 in the Probate Office, Etowah County, Alabama, and from thence run in a Northerly direction along the East line of said Gadsden Country Club property to a point in the South line of Whortons Bend Road; thence in an Easterly direction along the Southerly line of said road to a point where the same intersects the East line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) in Section 22; thence in a Southerly direction along the East line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) to the Southeast corner thereof; thence in a Westerly direction along the South line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) to the Southwest corner thereof; thence in a Westerly direction along the South line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) to the point of beginning, and embracing a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$), in Section Twenty Two (22), Township Twelve (12) South, Range Six (6) East of the Huntsville Meridian, and lying and being in Etowah County, Alabama.

PARCEL NO. 2

Begin at the northeast corner of the Southeast Quarter (SE $\frac{1}{4}$) Section Twenty-two (22), Township Twelve (12) South, Range Five (5) East of the Huntsville Meridian, Etowah County, Alabama, and from thence run in a westerly direction along the north line of the South Half (S $\frac{1}{2}$) of said Section Twenty-two (22) and the north line of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$), Section Twenty-one (21), Township Twelve (12) South, Range Five (5) East of the Huntsville Meridian to a point of intersection with an extended line, said line being 280.2 feet west of and parallel to the center line of Usry Drive (now known as Wood Avenue, Southeast) as shown by map of Meadowlawn No. 1 as recorded in Plat Book E, Page 155, Judge of Probate Office, Etowah County, Alabama, which said line is the present west line of the corporate limits of the City of Attalla; thence in a northerly direction and along said extended line parallel with the center line of said Usry Drive (Wood Avenue, Southeast) and along the present west line of the corporate limits of the City of Attalla to a point where said extended line intersects a line (said line begins at a point on the east line of Section Sixteen (16), Township Twelve (12) South, Range Five (5) East, at a point which is South 2° 33' East, and 1938.8 feet south of the northeast corner of said Section Sixteen (16)); from thence said line runs south 89° 05' west along the north side of Third Street (now known as Etowah Street, Southeast) to said point of intersection; thence from said point of intersection continue in a westerly direction along said line to a point 980 feet west of the east line of said Section Sixteen (16), said point being located on the north side of said Third Street (Etowah Street, Southeast); thence continue along the north line of Third Street (Etowah Street, Southeast) on a bearing of south 89° 05' west 925

feet; thence south $80^{\circ} 14'$ west 300.8 feet to a point on the north line of Service Street; thence north $88^{\circ} 37'$ west along the north line of Service Street and continuing in a straight line 2512 feet to the southeast right of way line of the A.G.S. Railroad; thence south $47^{\circ} 55'$ west along said right of way line 1737.2 feet; thence $88^{\circ} 35'$ east along a line produced from the south line of Fifth Street 4602 feet; thence south $88^{\circ} 10'$ east 96.2 feet; thence south $83^{\circ} 40'$ east 50 feet; thence south $73^{\circ} 26'$ east 50 feet; thence south $54^{\circ} 14'$ east 50 feet; thence south $88^{\circ} 30'$ east a distance of 384.2 feet, more or less, to a point 80 feet west of the present west line of the corporate limits of the City of Attalla; thence in a southerly direction along a line 80 feet west of and parallel to the present west line of the corporate limits of the City of Attalla to a point 80 feet south of the north line of the Northeast Quarter ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), Section Twenty-one (21), Township Twelve (12) South, Range Five (5) East; thence in an easterly direction and along the line parallel to and 80 feet South of the north line of the Northeast Quarter, ($NE\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$), Section Twenty-one (21) and the South Half ($S\frac{1}{2}$) of Section Twenty-two (22), Township Twelve (12) South, Range Five (5) East to a point where said line intersects the east line of said Section Twenty-two (22); thence in a northerly direction and along said east line to the northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Twenty-two (22) said corner being the point of beginning.

PARCEL NO. 3:

Begin at the Northeast corner of the Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$), which is also the southwest corner of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) Section Thirty-three (33), Township Eleven Eleven (11) South, Range Six (6) East of the Huntsville Meridian, Etowah County, Alabama; thence run in an easterly direction along the South line of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Thirty-three (33) to the Southeast corner of said Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$); thence in a northerly direction along the East line of said Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) to a point where said line intersects the Southeast line of Block Eight (8) of Mountain Brook Addition No. 3 as the same appears in Plat Book "E," Pages 80 and 81, Probate Office, Etowah County, Alabama; thence in a northeasterly direction along the Southeast line of said Block Eight (8) of said Mountain Brook Addition to the north line of said Block; thence in a westerly direction along the North line of Block Eight (8), Block Eleven (11) and Block Ten (10) of said Mountain Brook Addition to the northwest corner of said Block ten (10); thence in a southwesterly direction along the Northwest lot line of Block Ten (10) said Mountain Brook Addition to a point where the North line of said Block Ten (10) intersects the West line of the Northwest Quarter ($NW\frac{1}{4}$) of the Southeast Quarter ($SE\frac{1}{4}$) of said Section Thirty-three (33); thence in a southerly direction along said West line to the point of beginning and embracing portions of the North Half ($N\frac{1}{2}$) of the Southeast Quarter ($SE\frac{1}{4}$) and portions of the Southeast Quarter ($SE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Thirty-three (33), Township Eleven (11) South, Range Six (6) East.

PARCEL NO. 4:

The Southeast Quarter ($SE\frac{1}{4}$) of the Southwest Quarter ($SW\frac{1}{4}$) in Section Twenty-four (24), Township Eleven (11) South, Range Six (6) East of Huntsville Meridian.

PARCEL NO. 5:

A parcel of land described as commencing at a point where the North line of Block "A" in Clubview Heights Second Addition as the same appears in plat recorded in Plat Book G, Page 71 in the Probate Office of Etowah County, Alabama intersects the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Twenty-One (21) in Township Twelve (12) South, Range Six (6) East of Huntsville Meridian, and from

thence run in an Easterly and Southeasterly direction along the North and Northeasterly lines of said Block "A" to the Northeast corner, thereof; thence in a Southeasterly direction in a direct line to the Northeasterly corner of Block "E" in said Clubview Heights Second Addition; thence in a Southeasterly direction along the Northeast line of said Block "E" and said line produced, to a point in the Northwest right-of-way line of the Gadsden-Birmingham Highway, otherwise known as Rainbow Drive; thence in a Southwesterly direction and along the Northwest right-of-way line of said Highway to the point where said Northwest right-of-way line of said Gadsden-Birmingham Highway, otherwise known as Rainbow Drive, intersects the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in Section Twenty-One (21), Township Twelve (12) South, Range Six (6) East of Huntsville Meridian; thence run in a northerly direction and along the East line of the West Half ($W\frac{1}{2}$) of the Northeast Quarter ($NE\frac{1}{4}$) in said Section Twenty-One (21) to the point of beginning.

STATE OF ALABAMA ETOWAH COUNTY

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is Adv bookkeeper of The Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the boundary line which notice was printed in The Gadsden Times in its regularly circulated editions on April 6, April 13, and 20 and 27, 1963, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appear in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 20 day of May, 1963.

I. B. SCRUGGS,

Subscribed and sworn to before me on this the 20 day of May, 1963.

WALTER BETZ,
Notary Public.

Etowah County, Alabama.

NOTICE

Notice is hereby given that at a special or regular session of the 1963 Legislature of the State of Alabama, the undersigned will introduce a Bill in the Legislature as follows: An Act to alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also the following additional territory in Etowah County, Alabama.

PARCEL NO. 6

The Northeast Quarter ($NE\frac{1}{4}$) of the Northeast Quarter ($NE\frac{1}{4}$) of Section Thirty-two (32), and the Northwest Quarter ($NW\frac{1}{4}$) of the Northwest Quarter ($NW\frac{1}{4}$) of Section Thirty-three (33), all in Township Twelve

(12) South, Range Six (6) East of the Huntsville Meridian, Etowah County, Alabama.

**STATE OF ALABAMA
COUNTY OF ETOWAH**

Before me, Walter Betz a Notary Public, in and for said County, in said State, personally appeared I. B. Scruggs, who is known to me, and who, after being by me duly sworn, deposes and says under oath as follows:

That she is adv. bookkeeper of the Gadsden Times, a Newspaper published in said County, in said State, and authorized under the laws of the State of Alabama to carry legal advertising;

That, as such employee, she has knowledge of the facts hereinafter stated, and that she is authorized by said, The Gadsden Times, to make this affidavit;

That there is glued to said affidavit notice of the boundary line which notice was printed in The Gadsden Times in its regularly circulated editions on April 27, May 4, 11, and 18, 1963, and that the clipping glued to this affidavit constitutes an exact and true copy of said advertisement as it appears in The Gadsden Times on the dates shown above.

Subscribed and sworn to by me on this, the 20 day of May 1963.

I. B. Scruggs,

Subscribed and sworn to before me on this the 20 day of May, 1963.

WALTER BETZ,
Notary Public, Etowah County, Alabama.

By Messrs. Burns, Drake and Moore:

H. 353. To establish minimum wages in Alabama; and to provide penalties for violation of the Act.

Business and Labor.

By Mr. Faulk (With Notice and Proof):

H. 354. To amend further Section 1 of Act No. 550, S. 433, Regular Session 1947, which relates to the appointment, qualifications, tenure, and compensation of the superintendent of education of Geneva County.

Local Legislation No. 1.

Notice and Proof H. 354:

LEGAL NOTICE

Notice is hereby given that a bill substantially as set out hereinbelow will be introduced for passage at the next Regular Session of the Legislature.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act 550, S. B. 433, approved October 8, 1947 Local (Local Acts of Alabama, 1947, p. 374), entitled "An Act To Provide For the Appointment of the County Superintendent of Education of Geneva

County, Alabama, by the County Board of Education, prescribing his qualifications and providing for his term of office, salary, powers, duties, and removal," is further amended to read as follows:

"Section 1. The County Board of Education of Geneva County, Alabama, shall appoint the county superintendent of education for a term of four years commencing quadrennially on July first. To be eligible for appointment to the office of county superintendent of education a person must hold at least an Alabama Class A Superintendent-Principal certificate.

The superintendent of education shall be entitled to a fixed salary per annum, and an expenditure for travel and other expenses all to be fixed by the county board of education, which salary shall be paid in monthly installments out of any funds available to the board of education for such purpose. The county board of education may remove the superintendent of education at any time for immorality, misconduct in office, incompetency, willful neglect of duty, or when the best interest of the schools require it."

Section 2. This act repeals Act No. 628 Regular Session Alabama Legislature 1957 (Senate Bill 504)

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

Orsen B. Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala., do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing May 2, 1963, and ending May 23, 1963.

WITNESS my hand this 23 day of May 1963.

ORSEN B. SPIVEY,

Sworn to and subscribed before me this 23 day of May, 1963.

KAROL L. FLEMING,
Notary Public.

By Messrs. Locke, Hawkins, Blanton, Engel, Slate, Bailes, Baker (DeKalb), Owens, Rast, Fite, Hester, Cantrell, Etheredge, Bowers, Nabors, Meeks, Edington, Hain, Thomas, Keynolds, Hannah, Campbell (Jackson) and Brewer:

H. 355. To authorize the Governor, the Director of Finance, the President of Alabama Education Association, The General Manager Alabama Educational Television Commission, and the Legal Adviser to the Governor to become a public corporation for the purpose of acquiring land from the State or otherwise, for the purpose of constructing broadcasting stations, relay stations and any and all facilities necessary to create a statewide coverage with Educational Television the cost of which shall not exceed three million dollars. The facilities to be rented to the Alabama Educational Television Commission and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize

the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations, school boards, universities and colleges of the State of Alabama and bureaus of the State of Alabama; and to provide that any properties of the corporation and the income therefrom and any securities issued and any income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Ways and Means.

By Messrs. Hannah and Boston:

H. 356. Relating to counties having populations of not less than 60,500 nor more than 65,400, regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Local Legislation No. 1.

By Messrs. Fite, Turnham, Hannah, Paulk, Cooper, Cantrell, Crawford, Powell, Nabors, Harper, Owens, Thomas, Turner (Crenshaw), Campbell (Jackson), Callahan, Boston, Moore, Baker (DeKalb), McCorquodale, Heflin, Doggett, Jones (Covington), Mashburn, Young, Steagall, Cook, Bassett, Brewer, Bevill, Brown (Tuscaloosa), Campbell (Tuscaloosa), Snell, Carr, Merrill, Burnham, Albea, Drake, Grouby, Faulk, Salter and Stembridge:

H. 357. To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1964 and September 30, 1965, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial Schools, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Ways and Means.

By Messrs. Fite, Turnham, Hannah, Paulk, Cooper, Cantrell, Crawford, Powell, Brewer, Nabors, Harper, Owens, Thomas, Turner (Crenshaw), Callahan, Boston, Baker (DeKalb), Moore, McCorquodale, Doggett, Heflin, Jones (Covington), Mashburn, Young, Steagall, Bassett, Cook, Bevill, Brown (Tuscaloosa), Campbell (Tuscaloosa), Merrill, Burnham, Drake, Grouby, Faulk and Salter:

H. 358. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for under-

graduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Ways and Means.

By Messrs. Fite, Turnham, Hannah, Paulk, Cooper, Cantrell, Brewer, Crawford, Powell, Nabors, Harper, Owens, Thomas, Turner (Crenshaw), Boston, Callahan, Baker (DeKalb), Moore, McCorquodale, Doggett, Heflin, Jones (Covington), Mashburn, Young, Steagall, Bassett, Cook, Beville, Brown (Tuscaloosa), Campbell (Tuscaloosa), Snell, Carr, Merrill, Burnham, Albea, Drake, Grouby, Faulk and Salter:

H. 359. To make appropriation for the support and maintenance of the Southern Industrial Institute.

Ways and Means.

By Messrs. Fite, Turnham, Hannah, Paulk, Brewer, Cooper, Cantrell, Crawford, Powell, Nabors, Harper, Owens, Thomas, Turner (Crenshaw), Boston, Callahan, Moore, Baker (DeKalb), Young, McCorquodale, Doggett, Heflin, Jones (Covington), Mashburn, Steagall, Bassett, Cook, Beville, Brown (Tuscaloosa), Campbell (Tuscaloosa), Snell, Carr, Merrill, Burnham, Albea, Drake, Grouby, Faulk and Salter:

H. 360. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Ways and Means.

By Messrs. Fite, Pruitt, Brewer, Barnett, Beville, Hester, Nettles, Blanton, Turnham, Young, Steagall, Bassett, Cook, Brown (Tuscaloosa), Campbell (Tuscaloosa), Snell, Carr, Merrill, Burnham, Albea, Drake, Grouby, Faulk, Salter and Callahan:

H. 361. To make appropriations from the state treasury for support and maintenance of the Marion Institute, located in Perry County.

Ways and Means.

By Messrs. Fite, Turnham, Hannah, Paulk, Cooper, Cantrell, Crawford, Powell, Brewer, Nabors, Harper, Owens, Thomas, Turner (Crenshaw), Campbell (Jackson), Callahan, Boston, Baker (DeKalb), Moore, McCorquodale, Doggett, Heflin, Jones (Covington), Mashburn, Young, Steagall, Bassett, Cook, Beville, Brown (Tuscaloosa), Campbell (Tuscaloosa), Snell, Carr, Merrill, Burnham, Albea, Drake, Grouby, Faulk and Salter:

H. 362. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Ways and Means.

By Messrs. Rogers, Hogan, Goodwyn, Goldthwaite, Steagall, Casey, Etheredge, Edington, Engel and McDermott:

H. 363. To authorize the investment of funds held by clerks of circuit courts.

Judiciary.

By Messrs. Engel, Edington, Glass, Downing, Beville, Cooper, Owens, Rast, Locke, Rogers, Edwards (Escambia), Fields, McDermott, Turner

(Crenshaw), McCorquodale, Hogan, Jones (Monroe), Nettles, Wood, Smith, Mashburn, Edwards (Lowndes) and Brewer:

H. 364. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the retirement of all outstanding revenue securities heretofore issued by said department, for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the state; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to authorize said department, with the approval of the Governor, to issue refunding bonds for the purpose of refunding any bonds issued hereunder, paying any premium necessary to redeem or retire the bonds to be refunded, and paying any expenses of issuing the refunding bonds; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said department; to designate the revenues from which the principal of and the interest on bonds issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the department to invest in direct obligations of the United States of America any funds available for the purpose of retiring any bonds issued hereunder and said outstanding revenue securities; to provide for the retirement of such outstanding revenue securities and such bonds by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said department while any said bonds are outstanding.

Ways and Means.

By Messrs. Edington, Hawkins, Mashburn, Blanton, Engel, Glass, Downing, Beville, Cooper, Dominick, Owens, Rast, Rogers, Casey, Avery, Baker (DeKalb), Morrow, McDermott, Fields, Goldthwaite, Meade, Smith, Hogan, Turnham, Fite, Bailes, Pruitt, Edwards (Lowndes), Brewer, and McCorquodale:

H. 365. Relating to state parks, memorials, and historical sites; establishing the USS ALABAMA Battleship Commission as a state agency to acquire, transport, berth, renovate, maintain and exhibit the Battleship USS ALABAMA: to establish, create, manage, control and operate a state memorial park for the exhibition of said battleship and for other purposes; to make an appropriation therefor; prescribing the authority, powers, duties, and functions of the Commission and its members, officers, and committees.

Ways and Means.

By Messrs. Engel, McDermott, Rogers, Hogan, Edington and Martin:

H. 366. To amend further Section 144 of Title 45, Code of Alabama 1940, which provides the allowance for feeding prisoners.

Ways and Means.

By Messrs. Engel, Fields, Downing, McDermott, Hogan and Edington:

H. 367. (With Notice and Proof). To amend Act No. 161, adopted by the Alabama State Legislature on the 2nd day of August, 1957, which such Act is in substance as follows: "To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as, 'The Water Works and Sewer Board Employees' Pension and Relief Fund'; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof."

Local Legislation No. 3.

Notice and Proof H. 367:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN THAT THERE WILL BE INTRODUCED FOR PASSAGE IN THE ALABAMA STATE LEGISLATURE FOR 1963 A LOCAL BILL WHICH WILL BE IN SUBSTANCE AS FOLLOWS:

"A BILL TO BE ENTITLED AN ACT"

To amend Act No. 161, adopted by the Alabama State Legislature on the 2nd day of August, 1957, which such Act is in substance as follows:

"To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as 'The Water Works and Sewer Board Employees' Pension and Relief Fund'; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against

said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such Board during the term of such disability, for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

SECTION 1. Section 3 of the above referred to act shall be changed, altered and amended so that the same shall read in words and figures as follows:

"SECTION 3. There shall be a pension and relief system which shall apply to and include all permanent employees of the Board, which such pension and relief system shall be administered through a fund to be known as "The Water Works and Sewer Board Pension and Relief Fund", as provided for herein which such fund shall be derived and raised, received, obtained and created, although exclusively, in the following manner:

By payment into the fund by the Board a monthly amount equal to twelve and one-half percent (12½%) of the total salary or other compensation of each employee of the Board covered by this act, two and one-half per cent (2½%) of which shall be held and deducted by the Board from the salary or compensation of each employee covered, and the remaining ten per cent (10%) shall be paid into the fund by the Board from funds other than those derived from the two and one-half per cent (2½%) held and deducted from the salary or other compensation of the employees covered by this act."

SECTION 2. Section II of the above referred to act shall be changed, altered and amended by substituting for the period at the end thereof a semicolon, and immediately following said semicolon insert the following words: "Provided, that the word 'consecutive' as used in the foregoing section shall not be construed to the effect that any employee of the Water Works and Sewer Board of the City of Prichard otherwise entitled to participate in the Employees Pension and Relief Fund shall be penalized or shall have taken from him or her any length of service with the Board by reason of him or her having obtained a leave of absence or otherwise been temporarily out of the employ of the Board, and such leave of absence or other non-employment of said employee shall be approved by the Prichard Water Works and Sewer Board."

SECTION 3. This act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming a law.

C. R. Willisson being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register March 4, 11, 18, 25, 1963.

C. R. WILLISSON,

Sworn to and subscribed before me This 23 day of May, 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Smith and Downing:

H. 368. Relating to counties having populations of not less than 300,000 nor more than 600,000, further regulating the transportation of public school pupils in such counties, repealing conflicting laws.

Local Legislation No. 3.

By Mr. Goldthwaite:

H. 369. To amend Section 222, Title 52, The Code of Alabama of 1940, as recompiled in 1958, which section relates to place and method of payment of warrants, by eliminating therefrom the schedule of maximum fees to be paid a paying agent for the services performed in acting as paying agent of a board of education and as reimbursed for expenses incurred in remitting payments of warrants and/or coupons therefrom and substituting therefor a provision that a board of education shall pay such reasonable fees for such services, and as such reimbursement as may be negotiated and agreed upon by the board of education and its paying agent.

Insurance.

By Mr. Goldthwaite:

H. 370. To amend Section 7 (2) of Title 58, The Code of Alabama of 1940, as recompiled in 1958, which Section relates to the execution of proxies by fiduciary holding corporate stocks by adding thereto provisions providing for the voting of corporate stocks when the same are registered in the name of a nominee of a fiduciary.

Insurance.

By Messrs. Camp and Bolton:

H. 371. To amend Section 1 of Act No. 248, H. 87, Regular Session 1955 (Acts 1955, p. 586), entitled "An Act to raise revenue; levying an additional privilege license tax upon every person, firm, or corporation who engages in the business of renting rooms, lodgings, or accommodations to transients; providing for the collection and enforcement of the tax, and for the distribution of the revenue produced thereby," in relation to exemptions from the tax thereby levied.

Ways and Means.

By Messrs. Bevill and Scurlock:

H. 372. (With Notice and Proof). Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 372:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws

Be It Enacted By The State of Alabama:

SECTION 1. The superintendent of education of Walker County shall be entitled to receive for the performance of his duties an annual salary of \$9,000 and such other allowances as may be prescribed by law, which salary shall be paid in equal monthly installments out of the public school funds of the county.

SECTION 2. The provisions of Act No. 225, H. 330, Regular Session 1961 (Acts 1961, v. 1, p. 259) in conflict with this Act are hereby repealed.

SECTION 3. This Act shall take effect July 1 next following its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard Dowis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 3, May 10, May 17, and May 24, all in the year 1963.

RICHARD DOWIS,

Sworn to and subscribed before me May 27, 1963.

FAY O'REAR,
Title Notary Public.

By Messrs. Bevill and Scurlock:

H. 373. (With Notice and Proof). For the relief of Grady Nesmith: authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

Local Legislation No. 1.

Notice and Proof H. 373:

A BILL TO BE ENTITLED AN ACT

For the relief of Grady Nesmith; authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

Be It Enacted by the Legislature of Alabama:

Section 1. The Walker County Board of Finance and Control, or other like governing body of the county, may appropriate from general funds of the county not otherwise appropriated the sum of \$367.40, to reimburse Grady Nesmith for loss of wages and for medical and hospital

expenses incurred by him as the result of personal injuries sustained while he was assisting county employees in fighting a forest fire in Walker County on or about October 25, 1961.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Motley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was advertising manager of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, April 12, April 19, and April 26, all in the year 1963.

ROBERT D. MOTLEY,

Sworn to and subscribed before me May 25, 1963.

FAY O'REAR,
Title Notary Public.

By Messrs. Beville and Scurlock:

H. 374. (With Notice and Proof). For the relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

Local Legislation No. 1.

Notice and Proof H. 374:

A BILL TO BE ENTITLED AN ACT

For the relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

Be It Enacted by the Legislature of Alabama:

Section 1. The Walker County Board of Finance and Control, or other like county governing body, is hereby authorized and directed to appropriate from general funds of the county not otherwise appropriated the sum of \$379, to reimburse Robert Claud Reid, chief deputy sheriff of Walker County, for medical and hospital expenses incurred by him as the result of personal injuries sustained in the performance of an official act of executing a federal search warrant at Kilpatrick Fish Camp, in Walker County, on September 26, 1958; the statute of limitations having precluded recovery under workmen's compensation, and no other remedy being available at law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Motley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was advertising manager of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, April 12, April 19, and April 26, all in the year 1963.

ROBERT D. MOTLEY,

Sworn to and subscribed before me May 25, 1963.

FAY O'REAR,
Title Notary Public.

By Messrs. Bevill and Scurlock:

H. 375. (With Notice and Proof). To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

Local Legislation No. 1.

Notice and Proof H. 375:

A BILL TO BE ENTITLED AN ACT

To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

PREAMBLE

On or about July 27, 1961, a well on the property of Howard Thomas located on the Guthrie-Nesmith Road west of Townley, in Walker County, was damaged to the amount of \$250.00 as a result of some explosions set off by county employees of Walker County while constructing a road; and

Whereas, the claim of the said Howard Thomas is a moral and just obligation of Walker County, but not recoverable at law; now, therefore

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of finance and control, court of county commissioners, board of revenue, or other like governing body of Walker County may appropriate out of the unpledged public funds of the County a sum not exceeding \$250.00 to compensate the said Howard Thomas for damages to his well; and when such appropriation is duly made, the officer charged by law with the duty of drawing warrants on the public funds of

Walker County shall draw his warrant in favor of Howard Thomas in the amount of \$250.00.

Section 2. The Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert D. Motley, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was advertising manager of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 5, April 12, April 19, and April 26, all in the year 1963.

ROBERT D. MOTLEY,

Sworn to and subscribed before me May 25, 1963.

FAY O'REAR,
Notary Public.

By Mr. Wood:

H. 376. (With Notice and Proof). Relating to Washington County, regulating further the insuring of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

Local Legislation No. 1.

Notice and Proof H. 376:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Washington County, regulating further the insuring of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of education of Washington County shall have the authority and is hereby authorized to insure any public school building within its jurisdiction and under its control which may be owned by the state or county or any city in the county, together with the equipment, furniture, fixtures and other property in any such building, for the insurable value thereof, with insurance companies of its own choosing and shall not be required to insure such property by or through either the State Insurance Fund or the State Department of Finance, any provision of law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approved by the Governor, or upon it otherwise becoming a law.

**STATE OF ALABAMA
WASHINGTON COUNTY**

I, Dalton Jackson, Publisher of the Call-News Dispatch, a newspaper published at Chatom, Washington County, Alabama do hereby certify that a copy of the Legal notice - board of education by legislature as per clipping hereto attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement, thereof, for four consecutive weeks, commencing with the issue dated April 18, 1963, and ending with the issue dated May 9, 1963. I further certify that I have the right and authority to make this affidavit.

DALTON JACKSON,

Sworn to and subscribed before me on this, the 25 day May 1963.

ANNETTE R. BAXTER,

Notary Public.

My Commission Expires 8/25/65

By Mr. Nabors:

H. 377. To provide a comprehensive revision, consolidation and classification of the laws of the State of Alabama relating to insurance and to the insurance business; to regulate the incorporation, formation, and affairs of domestic insurance companies, societies, and associations, and the admission of foreign and alien insurance companies, societies, and associations; to provide their rights, powers and immunities, and to prescribe the conditions on which insurance companies, societies, and associations organized, existing, or authorized under this Act may exercise their powers; to provide the rights, powers, and immunities and to prescribe the conditions on which other persons, firms, corporations, and associations engaged in or affected by an insurance business may exercise their powers; to provide for service of process on unauthorized insurers and the conditions for defense of actions brought against them in this State; to provide for certain powers, rights, obligations, and consequences as to insurers and other persons relative to insurance contracts and annuity contracts and matters arising from such contracts; to provide for the imposition of licenses, fees and taxes and for the disposition thereof; to provide for the departmental supervision and regulation of the insurance business within or relative to this State; making appropriations; to provide penalties for the violation of this Act; to repeal certain laws and Acts, and for other purposes.

Insurance.

By Messrs. Turnham, Bassett, Avery, Salter, Faulk, Cooper, Paulk, Stembrige, Wood, Glass, Pierce, Mashburn and Steagall:

H. 378. To amend Section 5 of Act No. 275, H. 228, of the Legislature of Alabama Regular Session 1951 (Acts of Alabama Regular Session 1951, Volume 1, Page 559) known as "Alabama Liquefied Petroleum Gas Act".

State Administration.

By Messrs. Avery, Hain, Blanton, Steagall, Holladay, Bolton, Casey, Burns, Owens, Beville, Scurlock, Perry, Morrow and Brown (Jefferson):

H. 379. To amend Code of Alabama 1940, Title 52, Section 567, which relates to the time when title to sixteenth section lands may be acquired by adverse possession.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Goodwyn, Pierce, Little and Goldthwaite:

H. R. 37. WHEREAS, the Reverend John Thomas, the beloved and esteemed Assistant Pastor of the Dexter Avenue Methodist Church, has through his untiring services and devout leadership endeared himself to every member of his congregation; and

WHEREAS, the Reverend Thomas has through his patient understanding and sincere efforts given much of himself in helping to solve the myriad problems that come to all people, both young and old; and

WHEREAS, the Reverend Thomas has exemplified all the best characteristics and leadership necessary in the highest of all chosen professions with the result that he has been called to a church of his own in Enterprise, Alabama; and

WHEREAS, the Reverend Thomas will be sorely missed by all with whom he has come in contact and to whom he has meant so much both within and without his congregation; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Reverend John Thomas shall be and hereby is made the Honorary Chaplain of the House of Representatives.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the Dexter Avenue Methodist Church in Montgomery and to the Methodist Church in Enterprise, Alabama.

On motion of Mr. Goodwyn the rules were suspended and H.R. 37 was adopted.

Also:

By Messrs. Goodwyn, Pierce, Little and Goldthwaite:

H. J. R. 38. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That we express hereby our warm thanks to the members and officers of the Association of Retail Furniture Dealers for the delightful entertainment provided us on Tuesday evening, and cite them for their gracious hospitality and pleasing cordiality.

RESOLVED FURTHER, That copies of this resolution shall be sent by the Clerk to the president and executive secretary of the Association.

On motion of Mr. Goodwyn the rules were suspended and H.J.R. 38 was adopted.

Also:

By Messrs. Goodwyn, Pierce, Little and Goldthwaite:

H. J. R. 39. RESOLVED BY THE HOUSE, THE SENATE CON-

CURRING, That we take great pleasure in tendering our warm thanks to the members and officers of the Mobile Area Chamber of Commerce and to the distinguished members of the Mobile County delegation for the delightful and enjoyable seafood dinner provided us on Thursday evening, May 23, and cite them for their generous hospitality and genial cordiality.

RESOLVED FURTHER, That copies of this resolution shall be sent by the Clerk to the president and executive secretary of the Mobile Area Chamber of Commerce.

On motion of Mr. Goodwyn the rules were suspended and H.J.R. 39 was adopted.

BILLS ON THIRD READING

H. 134. To amend Section 5 of Act No. 261, H. 808, Regular Session 1955 (Acts 1955, v. 1, p. 606), the act providing that the state highway department shall construct, maintain, and repair the roads and bridges of Cherokee County, in relation to the hours of work and pay of personnel employed in road and bridge work in the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Bailes	Crawford	Heflin	Pierce
Baker (Madison)	Daniel	Hester	Posey
Barnett	Doggett	Hogan	Powell
Bethea (M)	Dominick	Holladay	Rast
Bevill	Downing	Ingram	Reynolds
Blanton	Drake	Jones (Covington)	Rogers
Bolton	Edington	Locke	Salter
Boston	Edwards (Escambia)	McCorquodale	Scurlock
Bowers	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Slate
Brown (Jefferson)	Etheredge	Mashburn	Smith
Burnham	Faulk	Meade	Steagall
Camp	Fields	Meeks	Stembridge
Campbell (Jackson)	Fite	Merrill	Teel
Campbell (Tuscaloosa)	Gilmore	Moore	Thomas
Cantrell	Glass	Morrow	Turner (Crenshaw)
Casey	Grouby	Nabors	Turnham
Cates	Hain	NeSmith	Vacca
Collins	Hankins	Nettles	Wood
Cook	Hannah	Paulk	Young

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And the bill:

H. 272. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hester	Pierce
Albea	Cornett	Hogan	Posey
Avery	Crawford	Holladay	Powell
Bailes	Daniel	Ingram	Rast
Baker (Madison)	Doggett	Jones (Covington)	Reynolds
Barnett	Drake	Jones (Monroe)	Rogers
Bethea (M)	Edington	Locke	Salter
Bevill	Edwards (Escambia)	McCorquodale	Scurlock
Blanton	Edwards (Lowndes)	McDermott	Sessions
Bolton	Engel	Martin	Slate
Boston	Etheredge	Mashburn	Smith
Bowers	Faulk	Meade	Snell
Branyon	Fields	Meeks	Steagall
Brown (Jefferson)	Fite	Merrill	Stembridge
Burnham	Gilmore	Moore	Sullivan
Camp	Glass	Morrow	Teel
Campbell (Jackson)	Grouby	Nabors	Thomas
Campbell (Tuscaloosa)	Hain	NeSmith	Turner (Crenshaw)
Cantrell	Hankins	Nettles	Turnham
Casey	Hannah	Paulk	Vacca
Cates	Harper	Pennington	Wood
Collins	Hawkins	Perry	Young
Cook	Heflin		

—90

And the bill:

H. 273. To abolish the office of deputy solicitor for Cleburne County and to create in lieu thereof the office of county solicitor; and to provide for the election, qualifications, and term of the county solicitor, prescribe his powers, authority, and duties, and fix his compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crawford	Harper	Perry
Bailes	Daniel	Hawkins	Pierce
Baker (Madison)	Doggett	Heflin	Posey
Barnett	Dominick	Hester	Powell
Bethea (M)	Downing	Hogan	Rast
Bevill	Drake	Holladay	Reynolds
Blanton	Edington	Ingram	Rogers
Bolton	Edwards (Escambia)	Jones (Covington)	Scurlock
Boston	Edwards (Lowndes)	Locke	Sessions
Bowers	Engel	McCorquodale	Slate
Branyon	Etheredge	McDermott	Smith
Brown (Jefferson)	Faulk	Martin	Steagall
Camp	Fields	Mashburn	Stembridge
Campbell (Jackson)	Fite	Meade	Sullivan
Campbell (Tuscaloosa)	Gilmore	Meeks	Teel
Cantrell	Glass	Morrow	Thomas
Casey	Goldthwaite	Nabors	Turner (Crenshaw)
Cates	Grouby	NeSmith	Turnham
Collins	Hain	Nettles	Vacca
Cook	Hankins	Paulk	Wood
Cooper	Hannah	Pennington	Young
Cornett			

—85

And the bill:

H. 275. relating to counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Paulk
Albea	Cooper	Hawkins	Pennington
Avery	Cornett	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Rast
Barnett	Dominick	Ingram	Reynolds
Bethea (M)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edgington	Little	Scurlock
Bolton	Edwards (Escambia)	Locke	Sessions
Boston	Edwards (Lowndes)	McCorquodale	Slate
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Martin	Snell
Brown (Jefferson)	Faulk	Mashburn	Steagall
Burnham	Fields	Meade	Sullivan
Camp	Fite	Meeks	Teel
Campbell (Jackson)	Gilmore	Merrill	Thomas
Campbell (Tuscaloosa)	Glass	Moore	Turner (Crenshaw)
Cantrell	Grouby	Morrow	Turnham
Casey	Hain	Nabors	Vacca
Cates	Hankins	NeSmith	Wood
Collins	Hannah	Nettles	

—91

And the bill:

H. 276. Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of the county superintendent of education of such counties; repealing conflicting laws.

Was taken up.

Mr. Branyon offered the following substitute for the bill, H. 276:

Substitute for H. B. 276:

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of the county superintendents of education of such counties.

Be It Enacted By The Legislature of Alabama:

Section 1. The county superintendents of education of all counties of the state having populations of not less than 15,500 nor more than 16,300, according to the last or any subsequent federal decennial census, shall be

fixed by the county boards of education of such counties at a sum equal to the amount of compensation as now fixed by such boards, plus 17.6 per cent thereof, to be paid at the same times and in the same manner as now prescribed for payment of compensation of county superintendents of education in such counties.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect immediately upon its enactment.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Perry
Albea	Cornett	Hester	Posey
Avery	Crawford	Hogan	Powell
Bailes	Daniel	Holladay	Rast
Baker (DeKalb)	Doggett	Ingram	Reynolds
Baker (Madison)	Downing	Jones (Covington)	Rogers
Barnett	Drake	Jones (Monroe)	Salter
Bevill	Edwards (Escambia)	Locke	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Sessions
Boston	Engel	McDermott	Slate
Bowers	Etheredge	Martin	Smith
Branyon	Faulk	Mashburn	Snell
Brown (Jefferson)	Fite	Meeks	Steagall
Brown (Tuscaloosa)	Gilmore	Merrill	Stembridge
Burnham	Glass	Moore	Sullivan
Camp	Grouby	Morrow	Teel
Campbell (Jackson)	Hain	Nabors	Thomas
Campbell (Tuscaloosa)	Hankins	NeSmith	Turner (Crenshaw)
Cantrell	Hannah	Nettles	Turnham
Casey	Harper	Paulk	Vacca
Cates	Hawkins	Pennington	Young
Cook			

—85

And said bill, H. 276, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Camp	Drake	Hawkins
Albea	Campbell (Jackson)	Edwards (Escambia)	Heflin
Avery	Campbell (Tuscaloosa)	Edwards (Lowndes)	Hester
Bailes	Cantrell	Engel	Hogan
Baker (DeKalb)	Casey	Etheredge	Holladay
Baker (Madison)	Cates	Faulk	Ingram
Barnett	Collins	Fite	Jones (Covington)
Bevill	Cook	Gilmore	Jones (Monroe)
Blanton	Cooper	Glass	Locke
Bolton	Cornett	Grouby	McCorquodale
Boston	Crawford	Hain	McDermott
Bowers	Daniel	Hankins	Mashburn
Branyon	Doggett	Hannah	Meeks
Brown (Jefferson)	Downing	Harper	Merrill

Moore	Pierce	Sessions	Teel
Morrow	Posey	Slate	Thomas
Nabors	Powell	Smith	Turner (Crenshaw)
NeSmith	Rast	Snell	Turnham
Nettles	Reynolds	Steagall	Vacca
Paulk	Rogers	Stembridge	Wood
Pennington	Salter	Sullivan	Young
Perry	Scurlock		

—86

And the bill:

H. 277. Relating to counties having populations of not less than 15,500 nor more than 16,300; fixing the maximum compensation of members of the county boards of education of such counties.

Was taken up.

Mr. Branyon offered the following substitute for the bill, H. 277:

Substitute for H. B. 277

**A BILL
TO BE ENTITLED
AN ACT**

Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of members of the county boards of education of such counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The members of the county boards of education of all counties having populations of not less than 15,500 nor more than 16,300, according to the last or any subsequent federal decennial census, shall each receive from the public school funds of the county the per diem compensation now prescribed by law, plus 17.6 per cent of such per diem, and their actual traveling and hotel expenses incurred in attending meetings of the board and in transacting the business of the board. The members of the board shall not be allowed pay for more than eighteen days in any one year and their expenses shall be paid in the manner provided for payment of compensation of teachers in such counties.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall take effect July 1, 1963.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Blanton	Campbell (Jackson)	Cornett
Albea	Boston	Campbell (Tuscaloosa)	Crawford
Bailes	Bowers	Cantrell	Daniel
Baker (DeKalb)	Branyon	Casey	Doggett
Baker (Madison)	Brown (Jefferson)	Cates	Downing
Barnett	Brown (Tuscaloosa)	Collins	Drake
Bethea (M)	Burnham	Cook	Edwards (Escambia)
Bevill	Camp	Cooper	Edwards (Lowndes)

Engel	Hogan	Nabors	Slate
Etheredge	Holladay	NeSmith	Smith
Faulk	Ingram	Nettles	Snell
Fite	Jones (Covington)	Paulk	Steagall
Gilmore	Jones (Monroe)	Pennington	Stembridge
Glass	Locke	Perry	Sullivan
Grouby	McCorquodale	Pierce	Teel
Hain	McDermott	Posey	Thomas
Hankins	Martin	Powell	Turner (Crenshaw)
Hannah	Mashburn	Rast	Turnham
Harper	Meeks	Reynolds	Vacca
Hawkins	Merrill	Rogers	Wood
Heflin	Moore	Scurlock	Young
Hester	Morrow	Sessions	

—87

And said bill, H. 277, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hogan	Pierce
Albea	Daniel	Holladay	Posey
Bailes	Doggett	Ingram	Powell
Baker (DeKalb)	Downing	Jones (Covington)	Rast
Baker (Madison)	Drake	Jones (Monroe)	Reynolds
Barnett	Edwards (Escambia)	Locke	Rogers
Bevill	Edwards (Lowndes)	McCorquodale	Salter
Blanton	Engel	McDermott	Scurlock
Bolton	Etheredge	Martin	Sessions
Boston	Faulk	Mashburn	Slate
Bowers	Fite	Meade	Smith
Branyon	Gilmore	Meeks	Snell
Brown (Tuscaloosa)	Glass	Merrill	Steagall
Burnham	Goldthwaite	Moore	Stembridge
Camp	Grouby	Morrow	Sullivan
Campbell (Jackson)	Hain	Nabors	Teel
Campbell (Tuscaloosa)	Hankins	NeSmith	Thomas
Cantrell	Hannah	Nettles	Turner (Crenshaw)
Casey	Harper	Owens	Turnham
Cates	Hawkins	Paulk	Vacca
Collins	Heflin	Pennington	Wood
Cook	Hester	Perry	Young
Cooper			

—89

And the bill:

H. 281. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bailes	Baker (Madison)	Bethea (M)
Albea	Baker (DeKalb)	Barnett	Bevill

Blanton	Drake	Holladay	Posey
Bolton	Edington	Ingram	Powell
Boston	Edwards (Escambia)	Jones (Covington)	Rast
Bowers	Edwards (Lowndes)	Jones (Monroe)	Reynolds
Branyon	Engel	Locke	Rogers
Brown (Jefferson)	Etheredge	McCorquodale	Salter
Burnham	Faulk	McDermott	Scurlock
Camp	Fields	Martin	Sessions
Campbell (Jackson)	Fite	Mashburn	Slate
Campbell (Tuscaloosa)	Gilmore	Meade	Smith
Cantrell	Glass	Merrill	Snell
Casey	Goldthwaite	Moore	Steagall
Cates	Grouby	Morrow	Stembridge
Collins	Hain	Nabors	Sullivan
Cook	Hankins	NeSmith	Teel
Cooper	Hannah	Nettles	Thomas
Cornett	Harper	Owens	Turner (Crenshaw)
Crawford	Hawkins	Paulk	Turnham
Daniel	Heflin	Pennington	Wood
Doggett	Hester	Perry	Young
Downing	Hogan	Pierce	

—91

And the bill:

H. 282. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County, so as to annex certain territory to the City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crawford	Heflin	Pennington
Albea	Daniel	Hester	Perry
Bailes	Doggett	Hogan	Pierce
Baker (DeKalb)	Downing	Ingram	Posey
Baker (Madison)	Drake	Jones (Covington)	Powell
Barnett	Edington	Jones (Monroe)	Pruitt
Bethea (M)	Edwards (Escambia)	Little	Rast
Bevill	Edwards (Lowndes)	Locke	Reynolds
Blanton	Engel	McCorquodale	Rogers
Bolton	Etheredge	McDermott	Salter
Boston	Faulk	Martin	Scurlock
Bowers	Fields	Mashburn	Sessions
Branyon	Fite	Meade	Smith
Brown (Jefferson)	Gilmore	Meeks	Steagall
Burnham	Glass	Merrill	Stembridge
Camp	Goldthwaite	Moore	Sullivan
Campbell (Jackson)	Grouby	Morrow	Teel
Campbell (Tuscaloosa)	Hain	Nabors	Thomas
Cantrell	Hankins	NeSmith	Turner (Crenshaw)
Casey	Hannah	Nettles	Turnham
Cook	Harper	Owens	Vacca
Cooper	Hawkins	Paulk	Wood
Cornett			

—89

And the bill:

H. 287. To define and regulate the business of well drilling in Madison County; to provide for the issuance of well drilling licenses by the Madison

County Judge of Probate; to provide for the filing of a bond by the applicant for such a license; to provide for the adoption of rules and regulations by the Madison County Health Department; to provide for the inspection of well drilling activities by the Madison County Health Officer; to provide for the revocation of licenses; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Paulk
Albea	Cooper	Hawkins	Pennington
Avery	Cornett	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Posey
Baker (Madison)	Doggett	Holladay	Powell
Barnett	Dominick	Ingram	Pruitt
Bassett	Downing	Jones (Covington)	Rast
Bethea (M)	Drake	Jones (Monroe)	Reynolds
Blanton	Edington	Little	Rogers
Bolton	Edwards (Escambia)	McCorquodale	Salter
Boston	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Smith
Branyon	Etheredge	Mashburn	Snell
Brown (Jefferson)	Faulk	Meade	Steagall
Brown (Tuscaloosa)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Burns	Gilmore	Moore	Teel
Camp	Glass	Morrow	Thomas
Campbell (Jackson)	Goldthwaite	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	NeSmith	Turnham
Cantrell	Hain	Nettles	Vacca
Casey	Hankins	Owens	Wood
Collins	Hannah		

—94

And the bill:

H. 296. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Boston	Casey	Edwards (Escambia)
Albea	Bowers	Collins	Edwards (Lowndes)
Avery	Branyon	Cook	Engel
Bailes	Brown (Jefferson)	Cooper	Etheredge
Baker (DeKalb)	Brown (Tuscaloosa)	Cornett	Fields
Baker (Madison)	Burnham	Crawford	Fite
Barnett	Burns	Daniel	Gilmore
Bethea (M)	Camp	Doggett	Glass
Bevill	Campbell (Jackson)	Dominick	Grouby
Blanton	Campbell (Tuscaloosa)	Drake	Hain
Bolton	Cantrell	Edington	Hankins

Hannah	McDermott	Pennington	Slate
Harper	Martin	Perry	Smith
Hawkins	Meade	Pierce	Snell
Heflin	Meeks	Posey	Steagall
Hester	Merrill	Powell	Stembridge
Hogan	Moore	Pruitt	Sullivan
Holladay	Morrow	Rast	Teel
Ingram	Nabors	Reynolds	Thomas
Jones (Covington)	NeSmith	Rogers	Turner (Crenshaw)
Jones (Monroe)	Nettles	Salter	Turnham
Locke	Owens	Scurlock	Vacca
McCorquodale	Paulk	Sessions	Wood

—92

And the bill:

H. 298. To repeal Act No. 502, approved November 19, 1959, an act relating to fixing the supplemental salaries of circuit judges in judicial circuits composed of only one county classified on a population basis, (Acts of Alabama, 1959, Volume 2, page 1236).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Perry
Albea	Cooper	Heflin	Pierce
Avery	Cornett	Hester	Posey
Bailes	Crawford	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Pruitt
Baker (Madison)	Doggett	Ingram	Rast
Barnett	Downing	Jones (Covington)	Reynolds
Bethea (M)	Edington	Jones (Monroe)	Rogers
Bevill	Edwards (Escambia)	Little	Salter
Blanton	Edwards (Lowndes)	Locke	Scurlock
Bolton	Engel	McCorquodale	Sessions
Boston	Etheredge	McDermott	Slate
Bowers	Faulk	Mashburn	Smith
Branyon	Fields	Meade	Snell
Brown (Jefferson)	Fite	Meeks	Steagall
Brown (Tuscaloosa)	Gilmore	Merrill	Stembridge
Burnham	Glass	Moore	Sullivan
Burns	Goldthwaite	Morrow	Teel
Camp	Goodwyn	Nabors	Thomas
Campbell (Jackson)	Grouby	NeSmith	Turner (Crenshaw)
Cantrell	Hain	Nettles	Turnham
Carr	Hankins	Owens	Vacca
Casey	Hannah	Paulk	Wood
Collins	Harper	Pennington	

—95

And the bill:

H. 299. To supplement the state salary payable to the circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than sixty-five thousand nor more than ninety-five thousand, according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Perry
Albea	Cooper	Hawkins	Pierce
Avery	Cornett	Heflin	Posey
Bailes	Crawford	Hester	Powell
Baker (DeKalb)	Daniel	Hogan	Pruitt
Baker (Madison)	Doggett	Holladay	Rast
Barnett	Downing	Ingram	Reynolds
Bethea (M)	Drake	Jones (Covington)	Rogers
Bevill	Edington	Jones (Monroe)	Salter
Blanton	Edwards (Escambia)	Little	Scurlock
Bolton	Edwards (Lowndes)	Locke	Sessions
Boston	Engel	McDermott	Slate
Bowers	Etheredge	Mashburn	Smith
Branyon	Faulk	Meade	Snell
Brown (Jefferson)	Fields	Meeks	Steagall
Brown (Tuscaloosa)	Fite	Merrill	Stembridge
Burnham	Gilmore	Moore	Sullivan
Burns	Glass	Morrow	Teel
Camp	Goldthwaite	Nabors	Thomas
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Crenshaw)
Cantrell	Grouby	Nettles	Turnham
Carr	Hain	Owens	Vacca
Casey	Hankins	Paulk	Wood
Collins	Hannah	Pennington	

—96

And the bill:

H. 302. Relating to the solicitor of the First Judicial Circuit; to provide for payment to him from the county treasuries of the counties composing the circuit of a monthly allowance for expenses.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Casey	Goldthwaite	Meeks
Albea	Collins	Goodwyn	Merrill
Bailes	Cook	Grouby	Moore
Baker (DeKalb)	Cooper	Hain	Morrow
Baker (Madison)	Cornett	Hankins	Nabors
Barnett	Crawford	Hannah	NeSmith
Bethea (M)	Daniel	Harper	Nettles
Bevill	Doggett	Hawkins	Owens
Blanton	Downing	Heflin	Paulk
Bolton	Drake	Hogan	Pennington
Boston	Edington	Holladay	Perry
Bowers	Edwards (Escambia)	Ingram	Pierce
Branyon	Edwards (Lowndes)	Jones (Covington)	Posey
Brown (Jefferson)	Engel	Jones (Monroe)	Powell
Burnham	Etheredge	Little	Pruitt
Burns	Faulk	Locke	Rast
Camp	Fields	McCorquodale	Reynolds
Campbell (Jackson)	Fite	McDermott	Rogers
Cantrell	Gilmore	Mashburn	Salter
Carr	Glass	Meade	Scurlock

Sessions	Steagall	Teel	Turnham
Slate	Stembridge	Thomas	Vacca
Smith	Sullivan	Turner (Crenshaw)	Wood
Snell			

—92

And the bill:

H. 303. To authorize and direct the county board of education of all counties having populations of not less than 15,300 nor more than 15,400 according to the last or any subsequent federal decennial census to provide for increasing the salary or other compensation of school bus drivers in the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Pennington
Albea	Cooper	Heflin	Perry
Avery	Cornett	Hester	Pierce
Bailes	Crawford	Hogan	Posey
Baker (DeKalb)	Daniel	Holladay	Powell
Baker (Madison)	Doggett	Ingram	Pruitt
Barnett	Dominick	Jones (Covington)	Rast
Bassett	Downing	Jones (Monroe)	Reynolds
Betha (M)	Edington	Locke	Rogers
Bevill	Edwards (Escambia)	McCorquodale	Salter
Blanton	Edwards (Lowndes)	McDermott	Scurlock
Boston	Engel	Martin	Sessions
Bowers	Etheredge	Mashburn	Smith
Branyon	Fields	Meade	Snell
Brown (Jefferson)	Fite	Meeks	Steagall
Brown (Tuscaloosa)	Gilmore	Merrill	Stembridge
Burnham	Glass	Moore	Sullivan
Burns	Goldthwaite	Morrow	Teel
Camp	Goodwyn	Nabors	Thomas
Campbell (Jackson)	Grouby	NeSmith	Turner (Crenshaw)
Cantrell	Hain	Nettles	Turnham
Carr	Hankins	Owens	Vacca
Casey	Hannah	Paulk	Wood
Collins	Harper		

—94

And the bill:

H. 306. To authorize the county governing body of every county in Alabama, which has a population of not less than 22,550 nor more than 24,550 according to the last or any subsequent federal decennial census, to fix the compensation of the clerk employed by the sheriff, but paid from the county treasury, within limits prescribed in this act and provide for the payment thereof in whole or in part out of the county highway and traffic control fund or out of the general fund.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Owens
Albea	Cooper	Hawkins	Paulk
Avery	Cornett	Heflin	Pennington
Bailes	Crawford	Hester	Perry
Baker (DeKalb)	Daniel	Hogan	Pierce
Baker (Madison)	Doggett	Holladay	Powell
Barnett	Dominick	Ingram	Pruitt
Bethea (M)	Downing	Jones (Covington)	Reynolds
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	Little	Scurlock
Bolton	Edwards (Escambia)	Locke	Sessions
Boston	Edwards (Lowndes)	McCorquodale	Slate
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Martin	Snell
Brown (Jefferson)	Fields	Mashburn	Steagall
Brown (Tuscaloosa)	Fite	Meade	Stembridge
Burnham	Gilmore	Meeks	Sullivan
Burns	Glass	Merrill	Teel
Camp	Goldthwaite	Moore	Thomas
Campbell (Jackson)	Goodwyn	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Nabors	Turnham
Cantrell	Hain	NeSmith	Vacca
Carr	Hankins	Nettles	Wood
Casey	Hannah		

—94

And the bill:

S. 2. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Was read a third time at length and passed.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cook	Harper	Pennington
Avery	Cooper	Hawkins	Perry
Bailes	Cornett	Heflin	Pierce
Baker (DeKalb)	Crawford	Hester	Posey
Baker (Madison)	Daniel	Hogan	Powell
Barnett	Doggett	Holladay	Pruitt
Bethea (M)	Dominick	Ingram	Rast
Bevill	Downing	Jones (Covington)	Reynolds
Blanton	Drake	Jones (Monroe)	Rogers
Bolton	Edington	Locke	Salter
Boston	Edwards (Escambia)	McCorquodale	Scurlock
Bowers	Edwards (Lowndes)	McDermott	Slate
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Snell
Brown (Tuscaloosa)	Fields	Meade	Steagall
Burnham	Fite	Meeks	Stembridge
Burns	Gilmore	Merrill	Sullivan
Camp	Glass	Moore	Teel
Campbell (Jackson)	Goldthwaite	Morrow	Thomas
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turner (Crenshaw)
Cantrell	Grouby	NeSmith	Vacca
Carr	Hain	Nettles	Wood
Casey	Hankins	Owens	

—95

And the bill:

S. 5. To establish the County Court of Marshall County in lieu of the court established by Act No. 346, H. 979, approved September 7, 1955 (Acts of Alabama, regular session 1955, Vol. II, pages 786-796), to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to provide for the place of holding said court; to grant to said court limited equity jurisdiction concurrent with the Circuit Court of Marshall County; to provide for the transfer of causes from said court to the Circuit Court of Marshall County and from said circuit court to said County Court of Marshall County; to provide for appellate procedure and to provide special procedure for civil cases involving not more than \$250.00; to provide a special schedule of fees and costs in certain civil cases, and fees, costs, and commissions in other cases; to provide the rules of practice and procedure of said court; to provide that said court shall be a court of record; to abolish the court established by said Act No. 346 of September 7, 1955, and provide for the transfer of all cases heretofore filed therein to the court hereby established.

Was read a third time at length and passed.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Pennington
Albea	Cooper	Hawkins	Perry
Avery	Cornett	Heflin	Pierce
Bailes	Crawford	Hester	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Downing	Ingram	Rast
Bethea (M)	Drake	Jones (Covington)	Reynolds
Bevill	Edington	Jones (Monroe)	Rogers
Blanton	Edwards (Escambia)	Little	Salter
Bolton	Edwards (Lowndes)	McCorquodale	Scurlock
Boston	Engel	McDermott	Sessions
Bowers	Etheredge	Martin	Smith
Branyon	Fields	Mashburn	Snell
Brown (Jefferson)	Fite	Meade	Steagall
Brown (Tuscaloosa)	Gilmore	Merrill	Stembridge
Burnham	Glass	Moore	Sullivan
Burns	Goldthwaite	Morrow	Teel
Camp	Goodwyn	Nabors	Thomas
Campbell (Jackson)	Grouby	NeSmith	Turner (Grenshaw)
Campbell (Tuscaloosa)	Hain	Nettles	Turnham
Cantrell	Hankins	Owens	Vacca
Carr	Hannah	Paulk	Wood
Casey			

—93

And the bill:

S. 13. Relating to Walker County; changing the method of compensating the clerk of the circuit court of such county and providing for the operation of his office on a salary basis.

Was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Doggett	Hogan	Powell
Baker (Madison)	Dominick	Holladay	Pruitt
Barnett	Downing	Ingram	Rast
Bethea (M)	Drake	Jones (Covington)	Reynolds
Bevill	Edington	Jones (Monroe)	Rogers
Blanton	Edwards (Escambia)	Little	Salter
Bolton	Edwards (Lowndes)	Locke	Scurlock
Boston	Engel	McCorquodale	Sessions
Branyon	Etheredge	McDermott	Smith
Brown (Jefferson)	Fields	Martin	Snell
Brown (Tuscaloosa)	Fite	Mashburn	Steagall
Burnham	Gilmore	Merrill	Stembridge
Burns	Glass	Moore	Sullivan
Camp	Goldthwaite	Morrow	Teel
Cantrell	Goodwyn	Nabors	Thomas
Carr	Grouby	NeSmith	Turner (Crenshaw)
Casey	Hain	Nettles	Turnham
Collins	Hankins	Owens	Vacca
Cook	Hannah	Paulk	Wood

—92

And the bill:

S. 34. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges, and limitations, in all counties having populations of not less than 150,000 nor more than 300,000, or in any contiguous county.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Carr	Gilmore	McDermott
Albea	Casey	Glass	Martin
Avery	Cates	Goldthwaite	Mashburn
Baker (DeKalb)	Collins	Goodwyn	Meade
Baker (Madison)	Cook	Grouby	Meeks
Barnett	Cooper	Hain	Moore
Bethea (M)	Cornett	Hankins	Morrow
Bevill	Crawford	Hannah	Nabors
Bolton	Daniel	Harper	NeSmith
Boston	Doggett	Hawkins	Nettles
Bowers	Dominick	Heflin	Owens
Branyon	Downing	Hester	Paulk
Brown (Jefferson)	Drake	Hogan	Pennington
Brown (Tuscaloosa)	Edington	Holladay	Perry
Burnham	Edwards (Escambia)	Ingram	Pierce
Burns	Edwards (Lowndes)	Jones (Covington)	Powell
Camp	Engel	Jones (Monroe)	Pruitt
Campbell (Jackson)	Etheredge	Little	Rast
Campbell (Tuscaloosa)	Fields	Locke	Reynolds
Cantrell	Fite	McCorquodale	Rogers

Salter
Scurlock
Sessions
Slate

Smith
Snell
Steagali
Stembridge

Sullivan
Thomas
Turner (Crenshaw)

Turnham
Vacca
Wood

—94

And the bill:

H. 290. To amend Act No. 107, adopted February 14, 1956, as amended by Act No. 155, adopted August 2, 1957, as amended by Act No. 455, approved September 6, 1957, such Act creating and providing for in the City of Prichard, Alabama, a special fund to be known as "The Municipal Employees Pension and Relief Fund"; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent municipal employees of such city, and eligible widows of such permanent municipal employees and eligible children thereof, whether such employee be in active service or be retired under the terms hereof; to provide for the creation of such fund and for appropriation from such city to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide who shall hear and determine applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such city during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of such city; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies or otherwise to be made to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection therewith. To provide penalties for the violation of the provisions of this Act; to provide an effective date for this Act; and to provide that the invalidity or unconstitutionality of any section, provision or other portion of this Act shall not affect the validity of any other section, provision or other portion hereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Campbell (Jackson)	Engel	Locke
Albee	Campbell (Tuscaloosa)	Fields	McCorquodale
Avery	Cantrell	Fite	McDermott
Bailes	Carr	Gilmore	Martin
Baker (DeKalb)	Casey	Glass	Mashburn
Baker (Madison)	Cates	Goldthwaite	Meade
Barnett	Cook	Goodwyn	Meeks
Bethea (M)	Cooper	Grouby	Merrill
Bevill	Cornett	Hain	Morrow
Blanton	Crawford	Hankins	Nabors
Bolton	Daniel	Hannah	NeSmith
Boston	Doggett	Harper	Nettles
Bowers	Dominick	Hawkins	Owens
Branyon	Downing	Hester	Paulk
Brown (Jefferson)	Drake	Hogan	Pennington
Brown (Tuscaloosa)	Edington	Holladay	Perry
Burns	Edwards (Escambia)	Ingram	Pierce
Camp	Edwards (Lowndes)	Jones (Covington)	Powell

Pruitt
Rast
Reynolds
Rogers
Salter

Scurlock
Sessions
Smith
Snell
Steagall

Stembridge
Sullivan
Teel
Thomas
Turner (Greenshaw)

Turnham
Vacca
Wood
Young

—91

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 12. Naming a bridge in Escambia County "The Malcolm Edwards Bridge."

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 30. Relative to the death of the Honorable Judge Charles H. Brown.

Also:

H. J. R. 34. Relative to the death of the Honorable Edward Orlando Baldwin.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 32. Expressing appreciation to the Automobile Dealers Association for the dinner dance.

Also:

H. J. R. 29. Memorializing Congress to give favorable consideration to pending legislation concerning veterans.

Also:

H. J. R. 33. Congratulating Charley Moseley on his outstanding performance at the SEC track meet.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 35. Relative to the retirement of Dr. Hudson Strode.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Robison (Montgomery), Nichols and Hawkins:

S. J. R. 7. WHEREAS, Alabama Boys State is scheduled to meet in Montgomery, Alabama, on Thursday, June 6th, 1963; and

WHEREAS, the American Legion for many years has sponsored Alabama Boys State, and the session for this year is under the sponsorship of the American Legion; and

WHEREAS, Boys State is educational training for the youth of Alabama; and

WHEREAS, the American Legion has requested that the Senate Chamber and the House Chamber be made available for use by Alabama Boys State on Thursday, June 6th, 1963; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH houses concurring, that the Senate Chamber and House Chamber be made available on Thursday, June 6th, 1963, for use by Alabama Boys State in conducting their legislative proceedings.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Nettles the rules were suspended and the House concurred in and adopted the S.J.R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 8. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we learn

with deep regret of the death of Mr. Taswell N. Allen, the father of our distinguished colleague, Senator Harlan G. Allen from Cullman, and we hereby extend our sincere sympathy to Senator Allen and the members of his family in this great loss.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Drake the rules were suspended and the House concurred in and adopted the S.J.R. 8 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 12. Relative to requesting the Highway Department to erect appropriate plaques designating "The Malcolm Edwards Bridge".

Also:

H. J. R. 29. Relative to memorializing the Congress of the United States to give immediate favorable consideration to amending and liberalizing Public Law 86-211.

Also:

H. J. R. 30. Relative to mourning the death of the Honorable Charles H. Brown of Birmingham.

Also:

H. J. R. 32. Relative to expressing appreciation for the hospitality of the Automobile Dealers Association.

Also:

H. J. R. 33. Relative to congratulating Charley Moseley, his coaches and the athletes of the University of Alabama Track Team.

Also:

H. J. R. 34. Relative to mourning the death of the Honorable Edward Orlando Baldwin of Covington County.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 35. Relative to the retirement of Dr. Hudson Strode.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 182. To amend further Code of Alabama 1940, Title 36, Section 60, in relation to the amount of the license payable by motor vehicle operators.

As amended, was again taken up.

Mr. Fite offered the following amendment to the bill, H. 182, as amended:

Amendment to H. B. 182 as amended:

In Section 1, second paragraph strike out the second sentence which reads as follows: "The form shall provide a place where a photograph in color of the applicant shall be affixed."

Also by striking the words "Provided, the State Department of Public Safety will bear all costs involved in photographing all applicants for drivers licenses."

And the amendment was adopted.

Yeas 95; Nays 2.

Yeas:

Mr. Speaker
Albee
Avery

Bailes
Baker (DeKalb)
Baker (Madison)

Bassett
Betha (M)
Bevill

Blanton
Bolton
Bowers

Branyon	Drake	Hogan	Posey
Brown (Jefferson)	Edington	Holladay	Powell
Brown (Tuscaloosa)	Edwards (Escambia)	Ingram	Pruitt
Burnham	Edwards (Lowndes)	Jones (Covington)	Reynolds
Burns	Engel	Little	Rogers
Callahan	Etheredge	Locke	Salter
Camp	Faulk	McCorquodale	Scurlock
Campbell (Jackson)	Fields	McDermott	Sessions
Campbell (Tuscaloosa)	Fite	Martin	Slate
Cantrell	Gilmore	Mashburn	Smith
Carr	Glass	Meade	Snell
Casey	Goldthwaite	Merrill	Steagall
Cates	Goodwyn	Moore	Stembridge
Collins	Grouby	Morrow	Sullivan
Cook	Hain	Nabors	Teel
Cooper	Hankins	Nettles	Thomas
Cornett	Hannah	Owens	Turner (Crenshaw)
Crawford	Harper	Paulk	Turnham
Daniel	Hawkins	Pennington	Wood
Doggett	Heflin	Perry	Young
Downing	Hester	Pierce	

—95

Nays:

Messrs. Dominick NeSmith

—2

Mr. Casey offered the following amendment to the bill, H. 182, as amended:

Amendment to H. B. 182

In the caption, strike out the words and figures "Section 60" and insert "Sections 60 and 61"

Also, strike out Section 2 entirely and insert the following in lieu thereof:

Section 2. Code 1940, Title 36, Section 61 is amended to read as follows:

"Section 61. At the close of business on Monday of each week when any application has been received or temporary instruction permit herein-after provided for has been issued, the judge of probate receiving such application or issuing such permit shall prepare a report of the same upon a form which shall be provided by the director of public safety. One copy of such report, together with all applications received and copies of all permits issued shall be forwarded to the director of public safety and one copy shall be retained by the judge of probate. On the tenth day of every month the judge of probate shall prepare a report showing the number of applications received and permits issued and the amount of fees received during the previous calendar month. One copy of such report shall be forwarded to the director of public safety, one to the comptroller, one to the treasurer, and he shall retain a copy. He shall also at said time deliver to the treasurer the amount of all such fees collected less twenty-five cents for each application received or permit issued, which sum shall be retained by him. Two-fifths of each twenty-five cents retained by the probate judge shall be for his own use, and no other or further charge shall be made by him for services rendered in taking or receiving applications or issuing permits; the remaining three-fifths shall be paid into the public highway and traffic fund of the county. All funds remitted to the state treasurer under the provisions of this section shall be deposited to the credit of the general fund and shall be ap-

propriated to the department of public safety for the payment of salaries and other expenses of personnel engaged in enforcement of state traffic and motor vehicle laws."

Also, add a new section as follows:

Section 3. This Act shall take effect on the first of the month next following the date of its enactment.

And the amendment was adopted.

Yeas 101; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Owens
Albea	Cates	Hannah	Paulk
Avery	Collins	Harper	Pennington
Bailes	Cook	Hawkins	Perry
Baker (DeKalb)	Cooper	Heflin	Pierce
Baker (Madison)	Cornett	Hester	Posey
Barnett	Crawford	Hogan	Powell
Bassett	Daniel	Holladay	Pruitt
Bethea (B)	Doggett	Ingram	Rast
Bethea (M)	Dominick	Jones (Covington)	Reynolds
Bevill	Downing	Jones (Monroe)	Rogers
Blanton	Drake	Little	Scurlock
Bolton	Edington	Locke	Sessions
Boston	Edwards (Escambia)	McCorquodale	Slate
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Snell
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Camp	Glass	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	Nabors	Vacca
Campbell (Tuscaloosa)	Grouby	NeSmith	Wood
Cantrell	Hain	Nettles	Young
Carr			

—101

And said bill, H. 182, as amended, was then read a third time at length and passed.

Yeas 76; Nays 22.

Yeas:

Mr. Speaker	Campbell (Jackson)	Engel	Hester
Avery	Campbell (Tuscaloosa)	Etheredge	Hogan
Bailes	Cantrell	Faulk	Jones (Covington)
Baker (DeKalb)	Carr	Fite	Jones (Monroe)
Baker (Madison)	Casey	Gilmore	Little
Bassett	Collins	Glass	Locke
Bethea (M)	Cooper	Goldthwaite	McCorquodale
Bevill	Crawford	Grouby	McDermott
Blanton	Daniel	Hain	Martin
Bowers	Drake	Hankins	Mashburn
Brown (Jefferson)	Edington	Hannah	Meade
Burnham	Edwards (Escambia)	Hawkins	Meeks
Burns	Edwards (Lowndes)	Heflin	Merrill

Moore	Perry	Rogers	Thomas
Morrow	Pierce	Scurlock	Turner (Greshaw)
Nabors	Posey	Smith	Turnham
Nettles	Pruitt	Snell	Vacca
Owens	Rast	Steagall	Wood
Paulk	Reynolds	Sullivan	Young

—76

Nays:

Messrs.	Branyon	Dominick	Powell
Albea	Brown (Yuscaloosa)	Downing	Sessions
Barnett	Callahan	Harper	Slate
Bethea (B)	Camp	Holladay	Stembridge
Bolton	Cates	Ingram	Teel
Boston	Doggett	NeSmith	

—22

BILLS ON THIRD READING RESUMED

H. 124. To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

Was taken up.

Messrs. Gilmore, Vacca, Little, Meeks, Rast, Morrow, Brown (Jefferson), Perry, Sessions, Locke, Bethea (M), Collins, Hawkins, Bethea (B). Etheredge and Bowers offered the following amendment to the bill, H. 124:

Amendment to H. B. 124

Strike out Section 2 and insert in lieu thereof the following:

Section 2. This Act shall take effect July 1, 1963. It is provided, however, that any contractor who before the date of this enactment became obligated to furnish at a fixed price materials, equipment, and supplies in the performance of such contract, shall be entitled to a refund of one-fourth of all taxes paid by him under this Act on the purchase price of the materials, equipment, and supplies which he buys after July 1, 1963, and uses or consumes before October 1, 1963, in the performance of the contract. Such refund shall be made under such reasonable rules and regulations as the commissioner of revenue may prescribe, after the claimant has established by evidence satisfactory to the commissioner that he is lawfully entitled thereto. Any claim made under this section must be made within 60 days after the right accrues, and shall be paid from current tax collections.

Also, add a new section to the bill as follows:

Section 4. The provisions of This Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the amendment was adopted.

Yeas 101; Nays 1.

Yeas:

Mr. Speaker	Baker (BeKall)	Bethea (B)	Bolton
Albea	Baker (Madison)	Bethea (M)	Boston
Avery	Barnett	Bevill	Bowers
Bailes	Bassett	Blanton	Branyon

REGULAR SESSION

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Brown (Jefferson)	Edwards (Lowndes)	Jones (Covington)	Posey
Brown (Tuscaloosa)	Engel	Jones (Monroe)	Pruitt
Burnham	Etheredge	Little	Rast
Burns	Faulk	Locke	Reynolds
Callahan	Fields	McCorquodale	Rogers
Camp	Fite	McDermott	Salter
Campbell (Jackson)	Gilmore	Martin	Scurlock
Campbell (Tuscaloosa)	Glass	Mashburn	Sessions
Cantrell	Goldthwaite	Meade	Slate
Carr	Goodwyn	Meeks	Smith
Casey	Grouby	Merrill	Snell
Cates	Hain	Moore	Steagall
Collins	Hankins	Morrow	Stembridge
Cook	Hannah	Nabors	Sullivan
Cornett	Harper	NeSmith	Teel
Crawford	Hawkins	Nettles	Thomas
Daniel	Heflin	Owens	Turner (Crenshaw)
Dominick	Hester	Paulk	Turnham
Downing	Hogan	Pennington	Vacca
Drake	Holladay	Perry	Wood
Edington	Ingram	Pierce	Young
Edwards (Escambia)			

—101

Nay:

Mr. Powell

—1

And said bill, H. 124, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 28.

Yeas:

Mr. Speaker	Cantrell	Harper	Posey
Albea	Cates	Hawkins	Pruitt
Avery	Collins	Heflin	Rast
Baker (DeKalb)	Cook	Hester	Reynolds
Baker (Madison)	Crawford	Holladay	Salter
Bassett	Daniel	Jones (Monroe)	Sessions
Bethea (B)	Drake	Little	Smith
Blanton	Edington	Locke	Snell
Bolton	Edwards (Escambia)	McCorquodale	Steagall
Boston	Edwards (Lowndes)	Martin	Stembridge
Bowers	Engel	Mashburn	Sullivan
Brown (Jefferson)	Faulk	Merrill	Teel
Brown (Tuscaloosa)	Fite	Moore	Thomas
Burnham	Gilmore	Nabors	Turner (Crenshaw)
Callahan	Glass	Nettles	Turnham
Camp	Goodwyn	Owens	Vacca
Campbell (Jackson)	Hain	Paulk	Wood
Campbell (Tuscaloosa)	Hannah	Pierce	Young

—72

Nays:

Messrs.	Branyon	Downing	Hogan
Bailes	Casey	Etheredge	Ingram
Barnett	Cornett	Goldthwaite	Jones (Covington)
Bethea (M)	Doggett	Grouby	McDermott
Bevill	Dominick	Hankins	Meade

Meeks
Morrow
NeSmith

Pennington
Perry

Powell
Rogers

Scurlock
Slate

—28

And the bill:

H. 125. (With Amendment). To amend Section 3 of Act No. 106, H. B. 81, Second Special Session 1963, entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959, entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented,' in relation to the rate of such tax; amending Sections 2 and 24 thereof," to change the effective date of said act.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend House Bill 125 by striking therefrom Section 3 and inserting in lieu thereof the following:

"Section 3. This Act shall take effect July 1, 1963."

And the amendment was adopted.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Paulk
Albee	Collins	Harper	Perry
Avery	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Doggett	Holladay	Reynolds
Bethea (B)	Downing	Ingram	Rogers
Bevill	Drake	Jones (Covington)	Salter
Blanton	Edington	Jones (Monroe)	Sessions
Bolton	Edwards (Escambia)	Little	Slate
Boston	Edwards (Lowndes)	Locke	Smith
Bowers	Engel	McCorquodale	Snell
Brannon	Etheredge	McDermott	Steagall
Brown (Jefferson)	Faulk	Martin	Stembridge
Brown (Tuscaloosa)	Fields	Mashburn	Sullivan
Burnham	Fite	Meade	Teel
Burns	Gilmore	Meeks	Thomas
Callahan	Glass	Merrill	Turner (Crenshaw)
Camp	Goldthwaite	Moore	Turnham
Campbell (Tuscaloosa)	Goodwyn	Morrow	Vacca
Cantrell	Grouby	Nabors	Wood
Carr	Hain	Nettles	Young
Casey	Hankins	Owens	

—95

Messrs. Gilmore, Vacca, Meeks, Little, Rast, Morrow, Brown (Jefferson), Perry, Sessions, Locke, Collins, Hawkins, Etheredge, Bethea (B) and Bowers offered the following substitute for the bill, H. 125, as amended:

Substitute for H. B. 125

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act No. 106, H. B. 81, Second Special Session 1963, entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959, entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented,' in relation to the rate of such tax; amending Sections 2 and 24 thereof."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 106, H. B. 81, Second Special Session 1963, entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959, entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented,' in relation to the rate of such tax; amending Sections 2 and 24 thereof," is hereby amended to read as follows:

"Section 3. This Act shall take effect July 1, 1963."

Section 2. This Act of amendment shall take effect immediately upon its enactment; however, any contractor who before the date of this enactment became obligated to furnish at a fixed price any materials, equipment, or supplies in the performance of such contract shall be entitled to a refund of one-fourth of all state sales taxes paid by him in respect of the purchase of materials, equipment, and supplies actually used and consumed before October 1, 1963, in the performance of the contract. The refund shall be made under such reasonable rules and regulations as the commissioner of revenue may prescribe, after the claimant has established by evidence satisfactory to the commissioner that he is lawfully entitled thereto. Claims for refunds must be made within 60 days after the taxes have been paid, and such claims shall be paid out of current tax collections.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

And the substitute was adopted.

Yeas 103; Nays 1.

Yeas:

Mr. Speaker	Boston	Casey	Edwards (Escambia)
Albea	Bowers	Cates	Edwards (Lowndes)
Avery	Branyon	Collins	Engel
Bailes	Brown (Jefferson)	Cook	Etheredge
Baker (DeKalb)	Brown (Tuscaloosa)	Cooper	Faulk
Baker (Madison)	Burnham	Cornett	Fields
Barnet	Burns	Crawford	Fite
Bassett	Callahan	Daniel	Gilmore
Bethea (B)	Camp	Doggett	Glass
Bethea (M)	Campbell (Jackson)	Dominick	Goldthwaite
Bevill	Campbell (Tuscaloosa)	Downing	Goodwyn
Blanton	Cantrell	Drake	Grouby
Bolton	Carr	Edgington	Hain

Hankins	McCorquodale	Paulk	Smith
Hannah	McDermott	Pennington	Snell
Harper	Martin	Perry	Steagall
Hawkins	Mashburn	Pierce	Stembridge
Heflin	Meade	Posey	Sullivan
Hester	Meeks	Pruitt	Teel
Hogan	Merrill	Rast	Thomas
Holladay	Moore	Reynolds	Turner (Crenshaw)
Ingram	Morrow	Rogers	Turnham
Jones (Covington)	Nabors	Salter	Vacca
Jones (Monroe)	NeSmith	Scurlock	Wood
Little	Nettles	Sessions	Young
Locke	Owens	Slate	

—103

Nay:

Mr. Powell

—1

And said bill, H. 125, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 26.

Yeas:

Mr. Speaker	Cantrell	Hannah	Posey
Albea	Cates	Harper	Powell
Avery	Collins	Hawkins	Pruitt
Baker (DeKalb)	Cook	Heflin	Rast
Baker (Madison)	Cooper	Hester	Reynolds
Bassett	Crawford	Holladay	Salter
Bethea (B)	Daniel	Jones (Monroe)	Sessions
Blanton	Drake	Little	Smith
Bolton	Edington	Locke	Snell
Boston	Edwards (Escambia)	McCorquodale	Steagall
Bowers	Edwards (Lowndes)	Martin	Stembridge
Brown (Jefferson)	Engel	Mashburn	Sullivan
Brown (Tuscaloosa)	Faulk	Merrill	Teel
Burnham	Fite	Moore	Thomas
Burns	Gilmore	Nabors	Turner (Crenshaw)
Callahan	Glass	Nettles	Turnham
Camp	Goodwyn	Owens	Vacca
Campbell (Jackson)	Grouby	Paulk	Wood
Campbell (Tuscaloosa)	Hain	Pierce	Young

—76

Nays:

Messrs.	Cornett	Hogan	NeSmith
Bailes	Doggett	Ingram	Pennington
Barnett	Dominick	Jones (Covington)	Perry
Bethea (M)	Downing	McDermott	Rogers
Bevill	Etheredge	Meade	Scurlock
Branyon	Goldthwaite	Meeks	Slate
Casey	Hankins	Morrow	

—26

And the bill:

H. 217. (With Substitute) (With Amendment). To confer additional authority upon the joint legislative committee established under House Joint Resolution No. 5, Regular Session 1963.

Was taken up.

The question was upon the adoption of the substitute and amendment reported by the Standing Committee on Judiciary, said committee substitute and amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To confer additional authority upon the joint legislative committee established under House Joint Resolution No. 5, Regular Session 1963.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to the authority conferred upon the Commission to Preserve the Peace as established under the authority of H. J. R. 5, Regular Session 1963, the commission may subpoena witnesses, administer oaths, require the production of books and records pertinent to any inquiry made by it. The said commission shall have authority to apply to any court of record of the State of Alabama for enforcement of any order issued by it for the production of books, records, or other documents, or to compel the attendance of any witness subpoenaed to appear before it, and, upon the request of the said commission, the circuit solicitor of any county in which the contempt occurs shall prosecute any witness who is cited by the commission with having committed perjury.

And the committee shall not refuse to the party summoned before it the right to counsel and to examine or cross-examine the witnesses appearing against him; provided, however, the chairman may reasonably limit such cross-examination.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AMENDMENT TO H. B. No. 217

Any person who refuses to answer any question shall be cited by the commission to preserve the peace and shall be prosecuted by the circuit solicitor of the county in which the contempt occurs by the circuit court of said county, and upon conviction shall be punished as any contempt of the circuit court or like body.

On motion of Mr. Turner (Crenshaw) the substitute and amendment reported by the Standing Committee on Judiciary were laid upon the table.

Mr. Turner (Crenshaw) offered the following substitute for the bill, H. 217:

A BILL
TO BE ENTITLED
AN ACT

To confer additional authority upon the joint legislative committee

entitled the Commission to Preserve the Peace established under House Joint Resolution No. 5, Regular Session 1963, and to provide penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to the authority conferred upon the Commission to Preserve the Peace as established under the authority of H.J.R. 5, Regular Session 1963, the Commission is authorized to sit and act at such times and places within the State of Alabama, to hold such hearings as it shall be necessary in carrying out its purpose, to require the attendance of such witnesses of the production of such books, papers, records and other documents by appropriate subpoenas or orders, and to administer oaths or affirmations to such witnesses and to take such testimony as it deems necessary. Oaths or affirmations shall be administered by the chairman of the Commission or the person acting in his stead, or the secretary of the Commission. The Commission may issue subpoenas under the signature of the chairman of the Commission, or by any member of said Commission, as may be designated by such chairman and subpoenas may be served by any law enforcement officer of the State of Alabama. The Commission shall have authority to apply to any court of record of the State of Alabama for enforcement of any subpoena or other order issued by it. The Commission may, from time to time, make and promulgate such rules of procedure as are reasonably necessary for the orderly conduct of its hearings, and shall give all parties who may be subpoenaed by it a copy of its rules of procedure prior to the time that such witnesses testify.

Section 2. Each party subpoenaed before the Commission shall have the right of counsel who may cross examine the witnesses who have been subpoenaed; provided, however, the chairman, or in his absence the vice-chairman, may reasonably limit such cross-examination.

Section 3. Every person who, having been subpoenaed as a witness by the Commission to give testimony or to produce books, papers, records or other documents upon any matter under inquiry before the Commission, wilfully makes default, or who having appeared, refuses to answer any question which is material or relevant to the matter under inquiry, shall be deemed guilty of a misdemeanor, and, upon conviction, shall be punished by a fine of not more than \$500 or imprisonment in jail for not more than six months, or both.

Section 4. Whenever a witness summoned or subpoenaed as mentioned in Section 1, fails to appear to testify or fails to produce any books, papers, records or documents as required, or whenever any witness so summoned or subpoenaed refuses to answer any question material or relevant to the subject under inquiry before the Commission, a statement of fact constituting such failure may be reported to and filed with the Speaker of the House of Representatives of the State of Alabama to certify, and he shall so certify the statement of facts aforesaid, to the appropriate Circuit Solicitor or to the Attorney General of the State of Alabama, whose duty shall be to bring the matter before the Grand Jury for its action.

Section 5. Whoever, having taken the oath or affirmation before the Commission, shall upon such oath or affirmation, swear or affirm wilfully, corruptly and falsely touching a matter material or relevant to the matter under inquiry before said Commission, shall be guilty of perjury, and, upon conviction shall be punished by a fine of not more than \$500 or imprisonment in jail for not more than 6 months, or both.

Section 6. Whenever the said Commission shall believe that any witness who has upon oath or affirmation sworn or affirmed wilfully, corruptly and falsely touching a matter material or relevant to the matter under inquiry before said Commission, then said Commission shall furnish to an appropriate Circuit Solicitor, or to the Attorney General of the State of Ala-

bama, a transcript properly certified by a duly authorized court reporter of said testimony and this matter placed before a Grand Jury for its action.

Section 7. All privileges and immunities, including but not limited to those of libel and slander, shall be afforded this Commission, its counsel and the witnesses who shall appear before it.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

On motion of Mr. Turner (Crenshaw), the motion of Mr. Bolton to refer the bill, H. 217, and pending substitute, was laid upon the table.

Yeas 69; Nays 34.

Yeas:

Mr. Speaker	Cooper	Harper	Paulk
Albea	Cornett	Hawkins	Pierce
Avery	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hester	Pruitt
Barnett	Downing	Hogan	Salter
Bassett	Drake	Holladay	Scurlock
Bethea (B)	Edwards (Escambia)	Jones (Monroe)	Sessions
Bethea (M)	Edwards (Lowndes)	Little	Smith
Bevill	Engel	Locke	Snell
Blanton	Faulk	McCorquodale	Steagall
Boston	Fite	Martin	Stembridge
Bowers	Glass	Mashburn	Thomas
Branyon	Goldthwaite	Meade	Turner (Crenshaw)
Brown (Tuscaloosa)	Goodwyn	Merrill	Turnham
Cantrell	Grouby	Moore	Vacca
Casey	Hain	NeSmith	Wood
Cates	Hankins	Nettles	Young
Cook			

—69

Nays:

Messrs.	Campbell (Jackson)	Hannah	Perry
Bailes	Campbell (Tuscaloosa)	Ingram	Powell
Baker (Madison)	Carr	Jones (Covington)	Rast
Bolton	Collins	McDermott	Reynolds
Brown (Jefferson)	Dominick	Meeks	Rogers
Burnham	Edington	Morrow	Slate
Burns	Etheredge	Nabors	Sullivan
Callahan	Fields	Owens	Teel
Camp	Gilmore	Pennington	

—34

MOTION TO RECESS LOST

The motion of Mr. Collins that the House recess until 3:45 o'clock this afternoon was lost.

Yeas 27; Nays 73.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Fields	Nabors
Bailes	Casey	Hannah	Owens
Baker (Madison)	Collins	Hogan	Perry
Boston	Dominick	Jones (Covington)	Rast
Burnham	Edington	McDermott	Slate
Burns	Edwards (Escambia)	Meeks	Snell
Campbell (Jackson)	Etheredge	Morrow	Sullivan

—27

Nays:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Pierce
Avery	Crawford	Heflin	Posey
Barnett	Daniel	Hester	Pruitt
Bassett	Doggett	Holladay	Reynolds
Bethea (B)	Downing	Ingram	Rogers
Bethea (M)	Drake	Jones (Monroe)	Salter
Bevill	Edwards (Lowndes)	Little	Scurlock
Bolton	Engel	Locke	Sessions
Bowers	Faulk	McCorquodale	Smith
Branyon	Fite	Martin	Steagall
Brown (Jefferson)	Gilmore	Mashburn	Stembridge
Brown (Tuscaloosa)	Glass	Meade	Teel
Callahan	Goldthwaite	Merrill	Thomas
Camp	Goodwyn	Moore	Turner (Crenshaw)
Cantrell	Grouby	NeSmith	Vacca
Carr	Hain	Nettles	Wood
Cates	Hankins	Paulk	Young
Cook			

—73

MOTION TO ADJOURN LOST

The motion of Mr. Burns that the House adjourn until Friday, May 31, 1963, at ten o'clock A.M. was lost.

Yeas 27; Nays 70.

Yeas:

Messrs.	Burns	Dominick	Nabors
Bailes	Callahan	Etheredge	NeSmith
Baker (Madison)	Camp	Fields	Owens
Bolton	Campbell (Tuscaloosa)	Hogan	Pennington
Brown (Jefferson)	Carr	Jones (Covington)	Rogers
Brown (Tuscaloosa)	Casey	McDermott	Slate
Burnham	Collins	Meeks	Sullivan

—27

Nays:

Mr. Speaker	Bethea (B)	Branyon	Crawford
Albea	Bethea (M)	Campbell (Jackson)	Daniel
Avery	Bevill	Cantrell	Doggett
Baker (DeKalb)	Blanton	Cates	Downing
Barnett	Boston	Cooper	Drake
Bassett	Bowers	Cornett	Edington

Edwards (Escambia)	Hannah	Mashburn	Salter
Edwards (Lowndes)	Harper	Merrill	Scurlock
Engel	Hawkins	Moore	Sessions
Faulk	Heflin	Morrow	Smith
Fite	Hester	Nettles	Steagall
Gilmore	Holladay	Paulk	Stembridge
Glass	Ingram	Perry	Teel
Goldthwaite	Jones (Monroe)	Pierce	Thomas
Goodwyn	Little	Posey	Turner (Crenshaw)
Grouby	Locke	Pruitt	Vacca
Hain	McCorquodale	Rast	Young
Hankins	Martin		

—70

CONSIDERATION OF H. 217 RESUMED

H. 217. To confer additional authority upon the joint legislative committee established under House Joint Resolution No. 5, Regular Session 1963.

Was again taken up.

The question was on the adoption of the substitute offered by Mr. Turner (Crenshaw) for the bill, H. 217, and said substitute was adopted.

Yeas 89; Nays 5.

Yeas:

Mr. Speaker	Casey	Hain	Nettles
Albea	Cates	Hankins	Owens
Avery	Collins	Hannah	Paulk
Bailes	Cook	Harper	Perry
Baker (DeKalb)	Cooper	Hawkins	Pierce
Baker (Madison)	Cornett	Heflin	Posey
Barnett	Crawford	Hester	Pruitt
Bassett	Daniel	Hogan	Rast
Bethea (B)	Doggett	Holladay	Rogers
Bethea (M)	Dominick	Ingram	Salter
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Edwards (Escambia)	Jones (Monroe)	Sessions
Bolton	Edwards (Lowndes)	Little	Slate
Boston	Engel	Locke	Smith
Bowers	Etheredge	McCorquodale	Steagall
Branyon	Faulk	Martin	Stembridge
Brown (Jefferson)	Fite	Mashburn	Sullivan
Brown (Tuscaloosa)	Gilmore	Meeks	Thomas
Callahan	Glass	Merrill	Turner (Crenshaw)
Camp	Goldthwaite	Moore	Vacca
Campbell (Jackson)	Goodwyn	Morrow	Wood
Campbell (Tuscaloosa)	Grouby	NeSmith	Young
Cantrell			

—89

Nays:

Messrs.	Fields	Nabors	Pennington
Burnham	McDermott		

—5

Mr. Etheredge offered the following amendment to the bill, H. 217, as amended:

Amendment to H. 217 as Substituted

Substitute word "may" for "shall" in line 7 of Section 4; and, further to strike the words "whose duty shall be to" in line 9 of Section 4 and substitute in lieu thereof the word "may".

And, further, by adding the following words to Section 4:

"The Speaker of the House, the appropriate Circuit Solicitor or the Attorney General may refuse to take action on the statement of facts filed by the Commission.

The motion of Mr. Turner (Crenshaw) to lay on the table the amendment offered by Mr. Etheredge was lost.

Yeas 46; Nays 47.

Yeas:

Mr. Speaker	Cornett	Hester	Posey
Avery	Daniel	Jones (Monroe)	Pruitt
Bassett	Edwards (Escambia)	Little	Scurlock
Bethea (B)	Engel	Locke	Snell
Bethea (M)	Fite	McCorquodale	Steagall
Bevill	Glass	Martin	Teel
Blanton	Goodwyn	Mashburn	Thomas
Branyon	Grouby	Merrill	Turner (Crenshaw)
Brown (Tuscaloosa)	Hankins	Moore	Turnham
Cantrell	Harper	Paulk	Vacca
Cates	Hawkins	Pierce	Young
Cook	Heflin		

—46

Nays:

Messrs.	Camp	Gilmore	Owens
Albea	Campbell (Jackson)	Goldthwaite	Pennington
Bailes	Campbell (Tuscaloosa)	Hain	Perry
Baker (DeKalb)	Carr	Hannah	Powell
Baker (Madison)	Casey	Hogan	Rast
Barnett	Collins	Ingram	Rogers
Bolton	Cooper	Jones (Covington)	Salter
Boston	Dominick	Meeks	Sessions
Brown (Jefferson)	Downing	Morrow	Slate
Burnham	Edington	Nabors	Smith
Burns	Etheredge	NeSmith	Sullivan
Callahan	Fields	Nettles	Wood

—47

The question was then on the adoption of the amendment offered by Mr. Etheredge to the bill, H. 217, as amended, and said amendment was adopted.

Yeas 56; Nays 37.

Yeas:

Messrs.	Bolton	Callahan	Collins
Albea	Boston	Camp	Cooper
Bailes	Bowers	Campbell (Jackson)	Crawford
Baker (DeKalb)	Brown (Jefferson)	Campbell (Tuscaloosa)	Daniel
Baker (Madison)	Burnham	Carr	Doggett
Barnett	Burns	Casey	Dominick

Downing	Hogan	Nettles	Slate
Edington	Ingram	Owens	Smith
Etheredge	Jones (Covington)	Pennington	Steagall
Fields	Little	Perry	Sullivan
Gilmore	Meeks	Powell	Teel
Goldthwaite	Morrow	Rast	Thomas
Grouby	Nabors	Rogers	Turner (Crenshaw)
Hain	NeSmith	Salter	Vacca
Hannah			

—56

Nays:

Mr. Speaker	Cook	Heflin	Pierce
Avery	Cornett	Hester	Posey
Bassett	Edwards (Escambia)	Jones (Monroe)	Pruitt
Bethea (B)	Engel	Locke	Scurlock
Bethea (M)	Fite	Martin	Sessions
Bevill	Goodwyn	Mashburn	Snell
Branyon	Hankins	Merrill	Stembridge
Brown (Tuscaloosa)	Harper	Moore	Turnham
Cantrell	Hawkins	Paulk	Young
Cates			

—37

Mr. Perry offered the following amendment to the bill, H. 217, as amended:

AMENDMENT TO HB 217 AS SUBSTITUTED AND AMENDED

Amend HB 217 as substituted and amended by adding thereto the following:

"The Commission herein referred to shall expire on September 1, 1965 and before its expiration shall file with the Speaker of the House and the Presiding Officer of the Senate a full report on its progress and its expenditures, and said report shall be furnished to every member of the House and Senate by placing on the members' desk a copy thereof, during the Regular Session of the Legislature in 1965.

The motion of Mr. Locke to lay on the table the amendment offered by Mr. Perry was lost.

Yeas 19; Nays 73.

Yeas:

Messrs.	Cooper	Heflin	Moore
Bethea (B)	Cornett	Hester	Pierce
Bowers	Daniel	Locke	Posey
Brown (Tuscaloosa)	Downing	McCorquodale	Vacca
Campbell (Tuscaloosa)	Hawkins	Mashburn	Young

—19

Nays:

Mr. Speaker	Bassett	Brown (Jefferson)	Carr
Albea	Bethea (M)	Burnham	Casey
Avery	Bevill	Burns	Collins
Bailes	Blanton	Callahan	Cook
Baker (DeKalb)	Bolton	Camp	Crawford
Baker (Madison)	Boston	Campbell (Jackson)	Dominick
Barnett	Branyon	Cantrell	Edington

Edwards (Escambia)	Hain	Morrow	Rogers
Edwards (Lowndes)	Hankins	Nabors	Slate
Engel	Hannah	NeSmith	Smith
Etheredge	Hogan	Owens	Snell
Faulk	Ingram	Paulk	Steagall
Fields	Little	Pennington	Stembridge
Fite	McDermott	Perry	Sullivan
Gilmore	Martin	Powell	Teel
Glass	Meade	Pruitt	Turner (Crenshaw)
Goldthwaite	Meeks	Rast	Turnham
Goodwyn	Merrill	Reynolds	Wood
Grouby			

—73

The question was then on the adoption of the amendment offered by Mr. Perry to the bill, H. 217, as amended, and said amendment was adopted.

Yeas 91; Nays 7.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Albea	Collins	Harper	Powell
Bailes	Cook	Hawkins	Pruitt
Baker (DeKalb)	Cooper	Heflin	Rast
Baker (Madison)	Cornett	Hester	Reynolds
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Holladay	Salter
Bethea (M)	Dominick	Ingram	Scurlock
Bevill	Downing	Little	Sessions
Blanton	Edington	McCorquodale	Slate
Bolton	Edwards (Escambia)	McDermott	Smith
Boston	Edwards (Lowndes)	Martin	Snell
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Stembridge
Brown (Tuscaloosa)	Faulk	Merrill	Sullivan
Burnham	Fite	Moore	Teel
Callahan	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Owens	Vacca
Cantrell	Grouby	Paulk	Wood
Carr	Hain	Pennington	Young
Casey	Hankins	Perry	

—91

Nays:

Messrs.	Bethea (B)	Jones (Covington)	Mashburn
Avery	Fields	Locke	Posey

—7

And said bill, H. 217, as amended, was then read a third time at length and passed.

Yeas 84; Nays 16.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bassett	Bevill
Albea	Baker (Madison)	Bethea (B)	Blanton
Avery	Barnett	Bethea (M)	Boston

Bowers	Faulk	Little	Pruitt
Branyon	Fite	Locke	Rast
Brown (Jefferson)	Gilmore	McCorquodale	Reynolds
Brown (Tuscaloosa)	Glass	Martin	Rogers
Cates	Goldthwaite	Mashburn	Salter
Collins	Goodwyn	Meade	Scurlock
Cook	Grouby	Meeks	Sessions
Cooper	Hain	Merrill	Smith
Cornett	Hankins	Moore	Snell
Crawford	Hannah	Morrow	Steagall
Daniel	Harper	NeSmith	Stembridge
Doggett	Hawkins	Nettles	Teel
Downing	Heflin	Owens	Thomas
Edington	Hester	Paulk	Turner (Crenshaw)
Edwards (Escambia)	Hogan	Perry	Turnham
Edwards (Lowndes)	Holladay	Pierce	Vacca
Engel	Jones (Covington)	Posey	Wood
Etheredge	Jones (Monroe)	Powell	Young

—84

Nays:

Messrs.	Callahan	Casey	McDermott
Bailes	Camp	Dominick	Nabors
Bolton	Campbell (Tuscaloosa)	Fields	Pennington
Burnham	Carr	Ingram	Slate
Burns			

—16

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 288, was adopted.

PASSAGE OF H. 288

And the bill:

H. 288. To make an appropriation from the state treasury to the use of the Department of Public Safety for emergency purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 2.

Yeas:

Mr. Speaker	Bowers	Collins	Engel
Albea	Branyon	Cook	Etheredge
Avery	Brown (Jefferson)	Cooper	Faulk
Bailes	Brown (Tuscaloosa)	Cornett	Fite
Baker (DeKalb)	Burnham	Crawford	Gilmore
Baker (Madison)	Burns	Daniel	Glass
Barnett	Callahan	Doggett	Goldthwaite
Bassett	Camp	Dominick	Goodwyn
Bethea (B)	Campbell (Jackson)	Downing	Grouby
Bethea (M)	Campbell (Tuscaloosa)	Drake	Hain
Bevill	Carr	Edington	Hankins
Blanton	Casey	Edwards (Escambia)	Hannah
Bolton	Cates	Edwards (Lowndes)	Harper

Heflin	Meade	Perry	Snell
Hester	Meeks	Pierce	Steagall
Hogan	Merrill	Pcsey	Stembridge
Holladay	Moore	Powell	Sullivan
Ingram	Morrow	Rast	Teel
Jones (Covington)	Nabors	Reynolds	Thomas
Jones (Monroe)	NeSmith	Rogers	Turner (Crenshaw)
McCorquodale	Nettles	Salter	Vacca
McDermott	Owens	Scurlock	Wood
Martin	Paulk	Sessions	Young
Mashburn	Pennington	Smith	

—95

Nays:

Messrs.	Boston	Little	—2
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RESOLUTIONS

The following resolutions were introduced:

By Messrs. Callahan, Camp, Sullivan, Bevill, Campbell (Tuscaloosa), Brown (Tuscaloosa) and Vacca:

H. J. R. 40. WHEREAS the Civitan Foundation for Mentally Retarded and Handicapped Children has been concerned with the need to provide prevocational training for teenage and young adult mentally retarded residents at Partlow State School and Hospital, and

WHEREAS the Civitan Foundation for Mentally Retarded and Handicapped Children has completed a project of raising \$30,000 with which to match federal funds to build and equip a prevocational training facility at Partlow State School and Hospital so that many of the young residents can be trained to return to their own community and accept employment,

NOW THEREFORE BE IT RESOLVED by the Legislature of Alabama, both house concurring, that the Alabama Legislature does hereby commend the Civitan Foundation for Mentally Retarded and Handicapped Children and express the deep appreciation and heartfelt gratitude of the people of Alabama to the Foundation and the thousands of members of Civitan Clubs throughout the state for the energy and diligence they have devoted to the successful completion of their project,

BE IT FURTHER RESOLVED that the President of the Civitan Foundation for Mentally Retarded and Handicapped Children, Mr. John R. Gordon, and the Board of Directors be congratulated for the leadership which they have given to provide new opportunities for many retarded children, and the interest they have stimulated among Civitan Clubs in Alabama to open new doors to mentally retarded children in our state,

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the President and members of the Board of Directors of the Civitan Foundation for Mentally Retarded and Handicapped Children and to the Central Office of Civitan International in Birmingham, Alabama.

On motion of Mr. Callahan the rules were suspended and H.J.R. 40 was adopted.

Also:

By Mr. Meade:

H. J. R. 41. WHEREAS, Cherokee County and the State of Ala-

bama has lost the services of a distinguished public servant in the recent death of John H. Garrett, who for twenty-seven years served the people of Cherokee County as a member of its governing body, both as President of the Court of County Commissioners and as President of the Board of Revenue, and who, in recognition of his outstanding contributions to good government, was honored by election to the office of President of the Association of County Commissioners of Alabama; and

WHEREAS, John H. Garrett has left a heritage of good works and countless friends and co-workers who will miss his presence with a feeling of sadness and great personal loss but who will remember him and his good works with a feeling of affection and gratitude; and

WHEREAS, the life of John H. Garrett represents a splendid example of that body of fine men who dedicate their great talents and energies to the high calling of public service and through their dedication and tireless effort help build our communities and our state into a better place in which to live; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, THE HOUSE AND SENATE CONCURRING, That we mourn the passing of John H. Garrett and pay our respects to his memory and extend this expression of condolence to the members of his immediate family on the occasion of their great loss.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. John H. Garrett, and to the county governing body of Cherokee County.

On motion of Mr. Meade the rules were suspended and H.J.R. 41 was adopted.

Also:

By Mr. Meade.

H. J. R. 42. WHEREAS, the work of volunteer emergency rescue squads are sometimes heroic, often laborious, self-sacrificing in time and personal resources and frequently unheralded and without recompense except for the great personal satisfaction that comes from giving to others of ones self without regard to reward or gain; and

WHEREAS, on Saturday, May 18, 1963, a Negro boy, age ten, was drowned while fishing with his parents near Leesburg bridge in Cherokee County and since the Cherokee Rescue Squad responded immediately to the call for assistance in searching for the body and was joined the next day by the Etowah and Anniston Emergency and Rescue Squad with the search continuing throughout the following week during which both the Cherokee and Etowah squads dragged and searched visually for the body and continued their search on into Sunday when at approximately 7:15 A. M. the body was discovered concluding an eight day search in which the Cherokee Squad alone consumed over 250 gallons of gasoline, devoted over 2,000 man hours, and contributed the use of hundreds of dollars of equipment for the sole purpose of assuaging the grief of the distraught parents of a young Negro boy; and

WHEREAS, the Cherokee County rescue squad, like other splendid organizations of this type, is composed entirely of volunteers who gladly give of time lost from jobs, the use of their equipment including radios, gasoline, uniforms, and devote long and arduous hours to the cause of any person or group in need of their services without regard to race, creed, or color and in keeping with the highest Christian ethic and the great traditions of the people of this state; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend the Cherokee Rescue Squad and the Etowah and the Anniston Emergency or Rescue Squads and express our feeling of pride in the inspiring example of their selfless dedication to the splendid purposes of their organizations as so eloquently attested to in their tireless efforts on behalf of the parents of Orlando Taylor.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the headquarters of the Cherokee Rescue Squad and of the Etowah and Anniston Emergency Squads.

On motion of Mr. Meade the rules were suspended and H. J. R. 42 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 300, was adopted.

PASSAGE OF H. 300

And the bill:

H. 300. To provide for appointment of an assistant director of labor and fix his compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 5.

Yeas:

Mr. Speaker	Doggett	Jones (Covington)	Posey
Albea	Downing	Locke	Pruitt
Bailes	Drake	McCorquodale	Rast
Baker (DeKalb)	Edwards (Escambia)	McDermott	Reynolds
Baker (Madison)	Engel	Martin	Salter
Bevill	Etheredge	Mashburn	Scurlock
Bowers	Fields	Meade	Slate
Brown (Jefferson)	Fite	Meeks	Smith
Brown (Tuscaloosa)	Gilmore	Merrill	Snell
Burns	Glass	Moore	Steagall
Callahan	Goldthwaite	Morrow	Sullivan
Campbell (Jackson)	Grouby	Nabors	Teel
Campbell (Tuscaloosa)	Hannah	NeSmith	Thomas
Cantrell	Harper	Nettles	Turnham
Cates	Heflin	Owens	Vacca
Cooper	Hester	Paulk	Wood
Crawford	Hogan	Perry	Young
Daniel	Ingram		

—70

Nays:

Messrs.	Boston	Burnham	Stembridge
Barnett	Branyon		

—5

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 110, was adopted.

PASSAGE OF H. 110

And the bill:

H. 110. To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$2,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$2,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under the said Constitutional Amendment; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to make appropriation for payment of the principal of and interest on bonds issued under the said Constitutional Amendment from the General Fund of the State; to provide for the acquisition of property for the purposes of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of facilities established pursuant to this Act; and to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature or Act No. 716 adopted at the 1961 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the state docks facilities at the Port of Mobile may be used to meet operating deficits of the facilities constructed under said Constitutional Amendment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker
Albee

Bailes
Baker (DeKalb)

Baker (Madison)
Barnett

Bassett
Bethea (B)

Bethea (M)	Cooper	Harper	Pierce
Bevill	Crawford	Heflin	Posey
Blanton	Daniel	Hester	Pruitt
Bolton	Doggett	Hogan	Rast
Boston	Dominick	Holladay	Reynolds
Bowers	Downing	Ingram	Salter
Branyon	Drake	Jones (Covington)	Scurlock
Brown (Jefferson)	Edwards (Escambia)	Locke	Sessions
Brown (Tuscaloosa)	Engel	McCorquodale	Slate
Burnham	Faulk	McDermott	Smith
Burns	Fields	Martin	Snell
Callahan	Fite	Meeks	Steagall
Camp	Gilmore	Merrill	Stembridge
Campbell (Jackson)	Glass	Moore	Sullivan
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Teel
Cantrell	Goodwyn	NeSmith	Thomas
Casey	Grouby	Nettles	Turnham
Cates	Hain	Owens	Vacca
Collins	Hankins	Paulk	Wood
Cook	Hannah	Perry	

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Nay:

Mr. Rogers

—1

UNANIMOUS CONSENT GRANTED

Mr. Meeks, Chairman of the Standing Committee on Transportation, requested unanimous consent to amend the Report of the Standing Committee on Transportation to report out the bill, H. 46, with a favorable report, with amendment, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 11. (With Amendment). To amend further Code of Alabama 1940, Title 13, §§ 31 and 33, relating to supernumerary justices of the supreme court.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

AMENDMENT TO HB 11

Amend Section 1 (a) of said bill by substituting a semicolon for the period at the end of Section 1 (a) and adding the word "or".

And the amendment was adopted.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bailes	Barnett	Bevill
Albee	Baker (DeKalb)	Bassett	Blanton
Avery	Baker (Madison)	Bethea (M)	Bolton

Boston	Downing	Hogan	Pierce
Bowers	Drake	Ingram	Pruitt
Brown (Jefferson)	Edington	Jones (Covington)	Rast
Burnham	Edwards (Escambia)	Locke	Reynolds
Burns	Engel	McCorquodale	Rogers
Callahan	Etheredge	McDermott	Salter
Camp	Faulk	Martin	Scurlock
Campbell (Jackson)	Fields	Meeks	Sessions
Cantrell	Fite	Merrill	Slate
Casey	Gilmore	Moore	Snell
Cates	Glass	Morrow	Steagall
Collins	Goldthwaite	Nabors	Stembridge
Cook	Grouby	NeSmith	Sullivan
Cooper	Hain	Nettles	Teel
Cornett	Hankins	Owens	Turner (Crenshaw)
Crawford	Hannah	Paulk	Turnham
Doggett	Harper	Pennington	Vacca
Dominick	Hester	Perry	Wood

—84

And said bill, H. 11, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Pennington
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hester	Pruitt
Baker (DeKalb)	Cornett	Hogan	Reynolds
Baker (Madison)	Crawford	Ingram	Rogers
Barnett	Doggett	Jones (Covington)	Salter
Bassett	Dominick	Little	Scurlock
Bethea (M)	Downing	Locke	Sessions
Bevill	Drake	McCorquodale	Slate
Blanton	Edington	McDermott	Smith
Bolton	Edwards (Escambia)	Martin	Snell
Boston	Engel	Meeks	Steagall
Bowers	Etheredge	Merrill	Stembridge
Brown (Jefferson)	Faulk	Moore	Sullivan
Burnham	Fields	Morrow	Teel
Burns	Fite	Nabors	Thomas
Callahan	Gilmore	NeSmith	Turner (Crenshaw)
Camp	Glass	Nettles	Turnham
Campbell (Jackson)	Goldthwaite	Owens	Vacca
Cantrell	Goodwyn	Paulk	Wood
Casey	Grouby		

—86

And the bill:

H. 199. To amend further Act No. 128, S. 120, Regular Session 1949, which provides for the service of process upon non-residents of Alabama in civil suits resulting from, growing out of or otherwise relating or incident to certain acts done within the state.

Was taken up.

Mr. Cornett offered the following substitute for the bill, H. 199:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Act No. 128, S. 120, Regular Session 1949, which provides for the service of process upon non-residents of Alabama in civil suits resulting from, growing out of or otherwise relating or incident to certain acts done within the state.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act No. 128, S. 120, Regular Session 1949, entitled "An Act to provide for the service of process in civil suits upon non-residents of the State of Alabama and providing that any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the constitution and laws of this State as to doing business herein shall be deemed to have appointed the Secretary of State, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served; and for other purposes" (Acts of Alabama 1949, p. 154), as amended, is amended further to read as follows:

"Section 1. Any non-resident person, firm, partnership, general or limited, or any corporation not qualified under the Constitution and laws of this state as to doing business herein, who shall do any business or perform any character of work or service in this state or who shall make a contract with a resident of Alabama to be performed in whole or in part by either party in Alabama, or who commits a tort in whole or in part in Alabama against a resident of Alabama, shall by the doing of such business or the performing of such work, or services, or the making of such contract or the commission of such tort, be deemed to have appointed the secretary of state, or his successor or successors in office, to be the true and lawful attorney or agent of such non-resident, upon whom process may be served in any action accrued, accruing, or resulting from the doing of such business, or the performing of such work or service, or the making of such contract or the commission of such tort, or relating to or as an incident thereof, by any such non-resident, or his, its or their agent, servant, or employee. And such service shall be valid whether or not the acts done in Alabama shall of and within themselves constitute a complete cause of action. Service of such process shall be made by serving three copies of the process on the said secretary of state, and such service shall be sufficient service upon the said non-resident of the State of Alabama, provided that notice of such service and a copy of the process are forthwith sent by registered mail by the secretary of state to the defendant at his last known address, which shall be stated in the affidavit of the plaintiff or complainant hereinafter mentioned marked 'Deliver to Address Only' and 'Return Receipt Requested,' and provided further that such return receipt shall be received by the secretary of state purporting to have been signed by said non-resident, or the secretary of state shall be advised by the postal authority that delivery of said registered mail was refused by said non-resident; and the date on which the secretary of state receives said return receipt, or advice by the postal authority that delivery of said registered mail was refused, shall be treated and considered as the date of service of process on said non-resident. The secretary of state shall make an affidavit as to the service of said process on him, and as to his mailing a copy of the same and notice of such service to the non-resident, and as to the receipt of said return receipt, or advice of the refusal of said registered mail, and the respective dates thereof, and shall attach said affidavit, return receipt, or advice from the postal authority, to a copy of the process and shall return the same to the clerk or register who issued the same, and all of the same shall be filed in the cause by the clerk or register. The party to a cause filed or pending, or his agent or attorney, desiring to obtain service upon a non-resident under the provisions of this section shall make and file in the cause an affidavit stating

facts showing that this section is applicable, and stating the residence and last known post office address of the non-resident, and the clerk or register of the court in which the action is filed shall attach a copy of the affidavit to the writ or process, and a copy of the affidavit to each copy of the writ or process, and forward the original writ or process and three copies thereof to the sheriff of Montgomery county for service on the secretary of state and it shall be the duty of the sheriff to serve the same on the secretary of state and to make due return of such service. The court in which the cause is pending may order such continuance of the cause as may be necessary to afford the defendant or defendants reasonable opportunity to make defense. Any person who was a resident of this state at the time of the doing of business, or performing work or service in this state, but who is a non-resident at the time of the pendency of a cause involving the doing of said business or performance of said work or service, and any corporation which was qualified to do business in this state at the time of doing business herein and which is not qualified at the time of the pendency of a cause involving the doing of such business, shall be deemed a non-resident within the meaning of this section, and service of process under such circumstances may be had as herein provided.

"The secretary of state of the state of Alabama or his successor in office, may give such non-resident defendant notice of such service upon the secretary of state of the state of Alabama in lieu of the notice of service hereinabove provided to be given, by registered mail, in the following manner: By causing or having a notice of such service and a copy of the process served upon such non-resident defendant, if found within the state of Alabama, by any officer duly qualified to serve legal process within the state of Alabama, or if such non-resident defendant is found without the state of Alabama, by a sheriff, deputy sheriff, or United States marshal, or deputy United States marshal, or any duly constituted public officer qualified to serve like process in the state of the jurisdiction where such non-resident defendant is found; and the officer's return showing such service and when and where made, which shall be under oath, shall be filed in the office of the clerk or register of the court wherein such action is pending.

"Service of summons when obtained upon any such non-resident as above provided for the service of process herein shall be deemed sufficient service of summons and process to give to any of the courts of this state jurisdiction over the cause of action and over such non-resident defendant, or defendants, and shall warrant and authorize personal judgment against such non-resident defendant, or defendants, in the event that the plaintiff prevails in the action.

"The secretary of state shall refuse to receive and file or serve any process, pleading, or paper under this section unless three copies thereof are supplied to the secretary of state and a fee of five dollars is paid to the secretary of state; and no service shall be perfected hereunder unless there is on file in the office of the secretary of state a certificate or statement under oath by the plaintiff or his attorney that the provisions of this section are applicable to the case."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Albee	Cook	Harper	Pierce
Avery	Cooper	Heflin	Posey
Bailes	Cornett	Hester	Pruitt
Baker (DeKalb)	Crawford	Hogan	Rast
Baker (Madison)	Daniel	Holladay	Reynolds
Barnett	Doggett	Jones (Covington)	Rogers
Bassett	Dominick	Little	Salter
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McCorquodale	Sessions
Bolton	Edington	McDermott	Slate
Boston	Edwards (Escambia)	Martin	Smith
Bowers	Edwards (Lowndes)	Meade	Snell
Brown (Jefferson)	Engel	Meeks	Steagall
Brown (Tuscaloosa)	Faulk	Merrill	Stembridge
Burnham	Fields	Moore	Sullivan
Burns	Fite	Nabors	Teel
Camp	Gilmore	NeSmith	Thomas
Campbell (Jackson)	Glass	Nettles	Turnham
Campbell (Tuscaloosa)	Goodwyn	Owens	Vacca
Cantrell	Grouby	Paulk	Wood
Casey	Hain	Pennington	Young
Cates			

—89

And said bill, H. 199, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 2.

Yeas:

Mr. Speaker	Casey	Grouby	Perry
Albee	Cates	Hain	Pierce
Avery	Collins	Hannah	Posey
Bailes	Cook	Harper	Pruitt
Baker (DeKalb)	Cooper	Heflin	Rast
Baker (Madison)	Cornett	Hester	Reynolds
Barnett	Crawford	Hogan	Rogers
Bassett	Daniel	Holladay	Salter
Bethea (B)	Doggett	Ingram	Scurlock
Bevill	Dominick	Jones (Covington)	Sessions
Blanton	Downing	Little	Slate
Bolton	Drake	Locke	Smith
Boston	Edington	McCorquodale	Snell
Bowers	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Martin	Stembridge
Brown (Tuscaloosa)	Engel	Meade	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Moore	Thomas
Callahan	Fite	NeSmith	Turner (Crenshaw)
Camp	Gilmore	Nettles	Vacca
Campbell (Jackson)	Glass	Owens	Wood
Campbell (Tuscaloosa)	Goldthwaite	Paulk	Young
Cantrell	Goodwyn	Pennington	

—91

Nays:

Messrs.	Etheredge	Meeks
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—2

And the bill:

H. 18. Relating to the appointment of guardians for persons of unsound mind; empowering the judges of probate of the various counties of the state to try inquisition of lunacy with or without a jury; prescribing the manner of impaneling jurors where a jury trial is demanded, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 19.

Yeas:

Mr. Speaker	Cornett	Harper	Paulk
Albea	Crawford	Hester	Pennington
Bailes	Daniel	Ingram	Perry
Baker (Madison)	Downing	Jones (Monroe)	Pruitt
Bassett	Drake	McCorquodale	Rogers
Bevill	Edwards (Escambia)	McDermott	Scurlock
Bolton	Edwards (Lowndes)	Mashburn	Sessions
Boston	Engel	Meade	Slate
Brown (Jefferson)	Etheredge	Meeks	Smith
Burnham	Fite	Merrill	Snell
Callahan	Gilmore	Moore	Stembridge
Camp	Glass	Morrow	Teel
Campbell (Jackson)	Goodwyn	Nabors	Thomas
Cantrell	Grouby	NeSmith	Turnham
Casey	Hankins	Nettles	Vacca
Cates	Hannah	Owens	Wood
Collins			

—65

Nays:

Messrs.	Branyon	Edington	Jones (Covington)
Barnett	Brown (Tuscaloosa)	Goldthwaite	Little
Bethea	Burns	Hain	Pierce
Blanton	Doggett	Heflin	Salter
Bowers	Dominick	Hogan	Steagall

—19

And the bill:

H. 243. To amend further Code of Alabama 1940, Title 14, Section 177, in relation to the fee for issuing a license to carry a pistol.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 18.

Yeas:

Mr. Speaker	Brown (Jefferson)	Cornett	Faulk
Bailes	Brown (Tuscaloosa)	Crawford	Fite
Baker (DeKalb)	Burnham	Daniel	Gilmore
Baker (Madison)	Burns	Dominick	Glass
Bassett	Callahan	Downing	Goldthwaite
Bethea (M)	Campbell (Tuscaloosa)	Edington	Hain
Blanton	Casey	Edwards (Escambia)	Hankins
Bowers	Cooper	Etheredge	Harper

Hawkins
Heflin
Hogan
Holladay
Ingram
Jones (Moore)
Little
Locke
McCorquodale

Martin
Meeks
Merrill
Moore
Morrow
Nabors
NeSmith
Nettles
Owens

Paulk
Pennington
Perry
Pierce
Pruitt
Reynolds
Rogers
Sessions

Smith
Snell
Steagall
Stembridge
Thomas
Turnham
Vacca
Wood

—66

Nays:

Messrs.
Albea
Bethae (B)
Bevill
Bolton

Boston
Branyon
Camp
Cates
Drake

Grouby
Hannah
Hester
Jones (Covington)
McDermott

Mashburn
Salter
Scurlock
Teel

—18

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 182. To amend further Code of Alabama 1940, Title 36, Sections 60 and 61, in relation to the amount of the license payable by motor vehicle operators.

ALBERT P. BREWER,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 217. To confer additional authority upon the joint legislative committee entitled the Commission to Preserve the Peace established under House Joint Resolution No. 5, Regular Session 1963, and to provide penalties.

ALBERT P. BREWER,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned

were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:40 P.M. On May 28, 1963

H. J. R. 12

H. J. R. 29

H. J. R. 30

H. J. R. 32

H. J. R. 33

H. J. R. 34

H. J. R. 35

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Morrow the House adjourned until Friday, May 31, 1963, at ten o'clock A.M.

Yeas 51; Nays 39.

Yeas:

Messrs.	Casey	Hogan	Pennington
Bailes	Cates	Holladay	Perry
Baker (Madison)	Collins	Ingram	Posey
Barnett	Daniel	Jones (Monroe)	Reynolds
Bethea (B)	Edwards (Lowndes)	Little	Rogers
Blanton	Etheredge	Mashburn	Sessions
Bolton	Gilmore	Meade	Smith
Branyon	Goldthwaite	Merrill	Stembridge
Brown (Jefferson)	Hain	Morrow	Teel
Brown (Tuscaloosa)	Hankins	Nabors	Thomas
Burns	Harper	NeSmith	Turnham
Camp	Hawkins	Owens	Vacca
Campbell (Tuscaloosa)	Hester	Paulk	Wood

—51

Nays:

Mr. Speaker	Doggett	Glass	Moore
Albea	Dominick	Goodwyn	Nettles
Baker (DeKalb)	Downing	Grouby	Pierce
Bethea (M)	Drake	Hannah	Pruitt
Bevill	Edington	Heflin	Salter
Bowers	Edwards (Escambia)	Jones (Covington)	Scurlock
Burnham	Engel	McCorquodale	Slate
Campbell (Jackson)	Faulk	McDermott	Snell
Cooper	Fields	Martin	Steagall
Cornett	Fite	Meeks	

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SEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, May 29, 1963

The House did not meet today.

EIGHTH DAY

House of Representatives
Montgomery, Alabama
Thursday, May 30, 1963

The House did not meet today.

NINTH DAY

House of Representatives
Montgomery, Alabama
Friday, May 31, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John P. Thomas, Associate Pastor, Dexter Avenue Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Barnett	Bolton	Burns
Albee	Bassett	Bowers	Callahan
Avery	Bethea (B)	Branyon	Camp
Bailes	Bethea (M)	Brown (Jefferson)	Campbell (Tuscaloosa)
Baker (DeKalb)	Bevill	Brown (Tuscaloosa)	Carr
Baker (Madison)	Blanton	Burnham	Casey

Cates	Gilmore	McCorquodale	Reynolds
Collins	Glass	McDermott	Rogers
Cook	Goldthwaite	Martin	Salter
Cooper	Goodwyn	Mashburn	Scurlock
Cornett	Grouby	Meade	Sessions
Crawford	Hain	Meeks	Slate
Daniel	Hankins	Merrill	Smith
Davis	Hannah	Moore	Snell
Doggett	Harper	Morrow	Steagall
Dominick	Hawkins	Nabors	Stembridge
Downing	Heflin	NeSmith	Sullivan
Drake	Hester	Nettles	Thomas
Edington	Hogan	Owens	Turner (Crenshaw)
Edwards (Escambia)	Holladay	Paulk	Turner (Limestone)
Edwards (Lowndes)	Ingram	Perry	Turnham
Engel	Jones (Covington)	Pierce	Vacca
Etheredge	Jones (Monroe)	Powell	Wood
Faulk	Little	Pruitt	Young
Fields	Locke	Rast	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Hannah leave of absence was granted to Mr. Boston.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Goodwyn, the reading at length of the Journal of the House for the sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 43. WHEREAS, the success of a democracy such as America's depends on the industry, initiative, vision, and integrity of its citizens; and

WHEREAS, the family is the basic unit of our society and our American civilization is deeply rooted in the homes of this Nation, for here the abilities, talents, character and stamina of tomorrow's citizens are developed and molded; and

WHEREAS, the Future Homemakers of America is an organization of high school home economics pupils devoted to improvement of home and

family living, which numbers among its many worthwhile purposes, training for worthy home membership, cultivation of democracy in home and community life, the development of creative leadership in home and community life and the promotions of international good will; and

WHEREAS, Miss Jane Eden, a student in the Auburn High School, is President of the Alabama State Association of Future Homemakers of America and in such position is providing excellent leadership for her fellow members of F. H. A.; and

WHEREAS, the potential contribution of this organization to the future progress of this country is immeasurable; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we applaud the excellent program sponsored by the Future Homemakers of America, and commend this organization for the thorough manner that love of home and an appreciation of the duties and obligations of family, community and world citizenship are instilled in the youthful members of this fine organization, to the end that Alabama and the rest of the United States will move steadily on, as the F. H. A. motto says, "Toward New Horizons."

BE IT FURTHER RESOLVED that we congratulate Miss Jane Eden on her election as president of this organization and commend her for the active part she has taken in its splendid work, and the capable manner in which she is handling the duties of her office as State President of the Future Homemakers of America. We appreciate her interest in and concern for the future citizens of Alabama.

On motion of Mr. Turnham the rules were suspended and H. J. R. 43 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 38. Expressing appreciation to the Association of Retail Furniture Dealers for the delightful entertainment provided by them.

Also:

H. J. R. 39 Tendering warm thanks to the Mobile Chamber of Commerce and the Mobile County Delegation for the delightful party.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 40. Commending the Civitan Foundation for Mentally Retarded and Handicapped Children.

Also:

H. J. R. 42. Commending the Cherokee Rescue Squad and the Eto-wah and the Anniston Emergency or Rescue Squad for their efforts on behalf of the parents of Orlando Taylor.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and sends same herewith to the House:

By Mr. Hawkins:

S. 52. To prevent nepotism in state service, prohibiting any officer or employee of the state or state agencies from appointing persons related to him to any office or position of profit with the state or any agency thereof, and prescribing penalties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 52. State Administration

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 36. Relative to enrollment of certain Negro students at the University of Alabama by order of Federal District Judge H. H. Grooms and relative to the stand taken by Governor George C. Wallace on Constitutional questions concerning same.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Nettles the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 36, said Senate amendment being as follows:

AMENDMENT TO H.J.R. 36

Amend paragraph seven (7) thereof by adding at the end of paragraph seven (7) the following

"Be it further resolved that the Legislature of Alabama recommends that the constitutional questions presented herein should continue to be challenged in the courts by the Governor, that the vast majority of the people of Alabama believe in the preservation of law and order and that the legislature of Alabama does abhor violence and mob rule and hereby request all of the citizens of Alabama to leave the challenging of the issues herein presented in the hands of the Governor and we hereby express our confidence in Governor Wallace.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 2. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory.

Also:

S. 5. To establish the County Court of Marshall County in lieu of the court established by Act No. 346, H. 979, approved September 7, 1955 (Acts of Alabama, regular session 1955, Vol. II, pages 786-796), to define the jurisdiction and powers of said court, provide for its officers, their appointment, election, term of office, powers, duties, and compensation, and to provide that the court shall be open at all times for the transaction of business, and to authorize the judge to fix the time of holding sessions for the trial of cases; to provide for the place of holding said court; to grant to said court limited equity jurisdiction concurrent with the Circuit Court of Marshall County; to provide for the transfer of causes from said court to the Circuit Court of Marshall County and from said circuit court to said County Court of Marshall County; to provide for appellate procedure and to provide special procedure for civil cases involving not more than \$250.00; to provide a special schedule of fees and costs in certain civil cases, and fees, costs, and commissions in other cases; to provide the rules of practice and procedure of said court; to provide that said court shall be a court of record; to abolish the court established by said Act. No. 346 of September 7, 1955, and provide for the transfer of all cases heretofore filed therein to the court hereby established.

Also:

S. 13. Relating to Walker County; changing the method of compensating the clerk of the circuit court of such county and providing for the operation of his office on a salary basis.

Also:

S. 34. To encourage and promote medical and scientific research and the establishment of medical research facilities, and the development of scientific research devices, by exempting certain activities, persons, organizations, and properties from building and zoning restrictions, permits, and fees, and public health and sanitary inspection fees, charges, and limitations, in all counties having populations of not less than 150,000 nor more than 300,000, or in any contiguous county.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 7. Making available the Senate and House Chambers for use by Alabama Boys State.

Also:

S. J. R. 8. Extending sympathy to Senator Harlan G. Allen and his family in the loss of his father.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turner (Crenshaw):

H. J. R. 44. WHEREAS, the members of the State Senate are sleeping in the State Capitol and their food is being furnished them, and

WHEREAS, the foregoing situation greatly reduces their need for an expense allowance;

NOW THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING That the expense allowance for the members of the Senate of Alabama is hereby reduced from Twenty Dollars (\$20.00) per day to Two Dollars (\$2.00) per day.

Mr. Turner (Crenshaw) moved to suspend the rules and adopt the resolution, H. J. R. 44.

Mr. Bailes called for a division of the question.

Mr. Turner (Crenshaw) then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H. J. R. 44, and said motion was lost.

Yeas 25; Nays 32.

Yeas:

Mr. Speaker	Daniel	Hankins	Nettles
Avery	Davis	Ingram	Paulk
Baker (DeKalb)	Doggett	McCorquodale	Slate
Bassett	Drake	McDermott	Stembridge
Branyon	Glass	Martin	Turner (Crenshaw)
Brown (Tuscaloosa)	Goodwyn	Moore	Turnham
Crawford			

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Nays:

Messrs.	Camp	Jones (Covington)	Perry
Albea	Casey	Jones (Monroe)	Powell
Bailes	Collins	Locke	Pruitt
Baker (Madison)	Dominick	Mashburn	Rast
Bethea (M)	Edington	Meeks	Reynolds
Bowers	Etheredge	Merrill	Rogers
Brown (Jefferson)	Fields	Morrow	Sessions
Burnham	Hannah	NeSmith	Vacca
Callahan			

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And the resolution, H. J. R. 44, was read and referred to the Standing Committee on Rules.

Also:

By Mr. Davis:

H J. R. 45. WHEREAS the ever increasing magnitude and complexity of state government resulting from the phenomenal growth of state services in recent years has focused attention on and emphasized the importance in the overall legislative processes of an effective legislative agency for research and technical assistance in broad and often complex areas of legislative interest and concern and since the Alabama Legislature was one of the first states to recognize the need of such services and has today a highly efficient Legislative Reference Service under the able direction of Charles M. Cooper; and

WHEREAS, "Charlie" Cooper has been identified with the Alabama Legislative Reference Service since its inception in September 1945 and has served as its director since July 30, 1947, and is recognized in the national organization of Legislative Service Agencies as one of its most experienced and competent state directors whose advice and counsel is frequently sought by reason of his singular perception and grasp of the complex legislative problems and by reason of his demonstrated administrative ability in the organization and supervision of highly technical legislative services; and

WHEREAS, the long tenure of Charlie Cooper as director of the Legislative Reference Service has been characterized by a notable sense of complete dedication reflected in long and arduous hours at his desk far beyond the call of duty and normal expectations, which fact, together with a voluminous knowledge of law and legislation, blended with a great capacity for friendship, has combined to make available to members of the Alabama Legislature throughout the years a trusted confidant and friend from whom wise and judicious counsel and most effective technical assistance has been ever available; and in acknowledgment of, and in grateful appreciation of these services; now therefore

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, THE HOUSE AND SENATE CONCURRING, That there be prepared an appropriate plaque for presentation to Charles M. Cooper which shall be inscribed as follows:

Presented

By

The Alabama Legislature

To

Charles M. Cooper, Director

Legislative Reference Service

In

Appreciation of Extraordinary

Dedication, Professional Competence, and Judicious Counsel

In the Service of

The Alabama Legislature and the People of this State

On motion of Mr. Davis the rules were suspended and H.J.R. 45 was adopted.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 94. (With Amendment). To amend Act No. 248, H. 87, Regular Session 1955 (Acts 1955, v. 1, p. 586), an act levying a state lodgings tax, so as to increase the rate of the tax and to provide further for the distribution of revenue derived therefrom.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 331. To make an appropriation from the state treasury for the purpose of the further preservation and promotion of the Helen Keller Home as an historic shrine.

H. 191. To amend Code of Alabama 1940, Title 55, Section 186, prescribing fees to be charged by the secretary of state for the performance of certain services.

H. 264. To amend Section 13, of Act No. 320, Regular Session 1949 regulating the use of trust receipts; providing fees to be charged by the Secretary of State for certain services in connection with filing trust receipt documents.

H. 355. To authorize the Governor, the Director of Finance, the President of Alabama Education Association, The General Manager Alabama Educational Television Commission, and the Legal Adviser to the Governor to become a public corporation for the purpose of acquiring land from the State or otherwise, for the purpose of constructing broadcasting stations, relay stations and any and all facilities necessary to create a statewide coverage with Educational Television the cost of which shall not exceed three million dollars. The facilities to be rented to the Alabama Educational Television Commission and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations, school boards, universities and colleges of the State of Alabama and bureaus of the State of Alabama; and to provide that any properties of the corporation and the income therefrom and any securities issued and any income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

H. 166. To amend further Code of Alabama 1940, Title 15, Section 72, which relates to the payment of expenses of bringing back absconding felons so as to authorize payment of actual cost of airplane transportation for such purpose.

H. 305. To make an appropriation to the use of Town Creek Watershed Conservancy District for the promotion of public improvements.

H. 307. To make an appropriation to the use of Big Nance Watershed Conservancy District for the promotion of public improvements.

H. 349. To amend Section 2, subsection G (2) (d) 2 of Act No. 34, Special Session 1961, which makes appropriation to the Agricultural Center Board for the Livestock Coliseum.

H. 348. To make an appropriation to the United Daughters of the Confederacy for the purpose of erecting a monument to the passing of the Army and Navy of the Confederate States of America at Gettysburg, Pennsylvania.

H. 364. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the retirement of all outstanding revenue securities heretofore issued by said department, for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the state; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to authorize said department, with the approval of the Governor, to issue refunding bonds for the purpose of refunding any bonds issued hereunder, paying any premium necessary to redeem or retire the bonds to be refunded, and paying any expenses

of issuing the refunding bonds; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said department; to designate the revenues from which the principal of and the interest on bonds issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the department to invest in direct obligations of the United States of America any funds available for the purpose of retiring any bonds issued hereunder and said outstanding revenue securities; to provide for the retirement of such outstanding revenue securities and such bonds by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said department while any said bonds are outstanding.

Mr. Turner (Crenshaw), Vice Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 90. To establish the Alabama higher education assistance commission; to permit the commission to guarantee higher education loans to Alabama students; and to make an appropriation to the commission.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 93. (With Amendment). To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 95. To provide for the creation, award and administration of State competitive scholarships for use by qualified students in any accredited institution of collegiate grade and to make an appropriation therefor.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 43. To amend further Title 14, Section 246, Code of Alabama 1940.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed in the Calendar, to-wit:

H. 74. (With Substitute). To amend Section 18, Title 61, of the Code of Alabama of 1940 so as to alter and change the amount receivable by the widow of a decedent upon her dissent.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 112. Relating to civil remedies and procedures; providing further for the service of copies of all pleadings, motions, notices, interrogatories, answers to interrogatories and other papers upon opposing parties or upon their counsel in civil actions; and providing for certification of such service.

H. 169. To amend further Section 186 of Title 14, Code of Alabama 1940, which prescribes penalties for unlawful use, transportation, possession and sale of pistols.

H. 209. To further amend Code of Alabama 1940, Title 7, Sections 192, 193, and 199 relating to process and notice to non-residents and unknown parties, to prescribe the fee to be charged by the Secretary of State for services performed in connection therewith.

H. 210. To repeal Sections 21 and 22 of Title 13, Code of Alabama 1940.

H. 248. To amend Section 827 (2) of Title 7 of the Code of Alabama of 1940, relating to transcript fees paid court reporters.

H. 259. To amend Title 51, Section 199 of the 1940 Code of Alabama.

H. 315. To provide for deductions from penitentiary sentences for donating blood to recognized blood collection agencies.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 363. (With Amendment). To authorize the investment of funds held by clerks of circuits courts.

REPORT OF STANDING COMMITTEE ON JUDICIARY

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report.

H. 379. To amend Code of Alabama 1940, Title 52, Section 567, which relates to the time when title to sixteenth section lands may be acquired by adverse possession.

The motion of Mr. Goodwyn to recommit the bill, H. 379, was adopted.

And the Speaker recommitted the bill, H. 379, to the Standing Committee on Judiciary.

BILLS ON SECOND READING CONTINUED

Mr Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 309. To amend further Section 89 and Section 90 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

H. 310. To amend further Section 706 of Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of certain motor vehicle license tags.

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 130. To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379) as last amended.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 354. To amend further Section 1 of Act No. 550, S. 433, Regular Session 1947, which relates to the appointment, qualifications, tenure, and compensation of the superintendent of education of Geneva County.

H. 356. Relating to counties having populations of not less than 60,500 nor more than 65,400, regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

H. 372. Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws.

H. 373. For the relief of Grady Nesmith; authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

H. 374. For relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

H. 375. To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

H. 376. Relating to Washington County, regulating further the insuring of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

Mr. Engel, Chairman of the Standing Committee on Local Legislation

No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 367. To amend Act No. 161, adopted by the Alabama State Legislature on the 2nd day of August, 1957, which such Act is in substance as follows: "To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as 'The Water Works and Sewer Board Employees' Pension and Relief Fund'; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon the death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof."

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Jones (Covington):

H. 380. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Covington County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Branyon:

H. 381. Relating to counties having populations of not less than 15,500 nor more than 16,300; providing increases in pay for all employees of the county board of education in such counties.

Local Legislation No. 1.

By Mr. Crawford:

H. 382. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 15,000 nor more than 15,300.

Local Legislation No. 1.

By Mr. Perry:

H. 383. To amend Code of Alabama 1940, Title 51, Section 613, in relation to the license tax payable on vending machines.

Judiciary.

By Messrs. Etheredge, Rast, Perry, Hawkins, Collins, Bailes, Morrow, Brown (Jefferson), Locke, Meeks, Bethea (M), Vacca and Sessions (With Notice and Proof):

H. 384. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 384:

NOTICE

Notice is hereby given of intention to apply at the present special session or any future special or regular session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That, from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Jefferson County, Alabama, be and the same are altered and rearranged, so as to include within the corporate limits of said city of Mountain Brook, Jefferson County, Alabama, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said city, more particularly described as follows:

The Northeast Quarter of the Southwest Quarter of Section 11, Township 18 South, Range 2 West, Jefferson County, Alabama.

The Northwest Quarter (NW $\frac{1}{4}$) and the Southwest Quarter (SW $\frac{1}{4}$) and the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 14, Township 18, South, Range 2 West, Jefferson County, Alabama.

All of the Southwest Quarter (SW $\frac{1}{4}$) and the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 11, Township 18 South, Range 2 West, Jefferson County, Alabama.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATON

STATE OF ALABAMA

JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the Publisher of the Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues, of May 4, 11, 18, 25, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 27th day of May 1963.

ANGIE CAMPISI,
Notary Public.

By Messrs. Turnham, Crawford, Harper, Baker (DeKalb), Jones (Covington) and Paulk:

H. 385. Relating to fire, lightening, hail, and windstorm inurance and the measure of damages resulting from losses covered by such insurance; and prescribing penalties for violations of this Act.

Insurance.

By Mr. Turnham:

H. 386. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1962.

Ways and Means.

By Messrs. Baker (Madison), Reynolds and Pennington (With Notice and Proof):

H. 387. Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation may be paid by the county; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 387:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation shall be fixed by the county governing body and shall be paid by the county; repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sheriff of Madison County may appoint such number of deputies in addition to his chief deputy as he may find necessary for efficient performance of the duties of his office. The compensation of deputies so appointed shall be fixed by the court of county commissioners, board of revenue, or other like governing body of Madison County, and shall be paid from the general funds of the county in equal monthly installments.

Section 2. All laws or parts of laws in conflict with this Act, including Act No. 132, S. 263, Regular Session 1943 (Local Acts 1943, p. 66), Act No. 468, H. 897, Regular Session 1947 (Local Acts 1947, p. 328), and Act No. 215, S. 255, Regular Session 1953 (Acts 1953, v. 1, p. 282), as amended by Act No. 30, H. 24, First Special Session 1959 (Acts 1959, v. 1, p. 69), are hereby repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 8, March 15, March 22, and March 29, all in the year 1963.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me March 30, 1963.

OPAL H. DILWORTH,
Title Notary Public.

By Messrs. Rogers, Downing, McDermott, Engel, Hogan, Fields, Nettles and McCorquodale:

H. 388. To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited;

and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Ways and Means.

By Messrs. Engel, Nabors, Burns and McDermott:

H. 389. To amend further Section 1 of Act No. 691, S. 284, Regular Session 1951 (Acts 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Thirteenth Judicial Circuit.

Local Legislation No. 3.

By Messrs. Engel, McDermott and Hogan:

H. 390. To provide for advance payment of dues by state-chartered member credit unions to the state organization, Alabama credit union league, and the amortization over a period up to and including fifteen years of the credit extended to the member credit unions in the form of advance dues certificates issued by the Alabama Credit Union League.

Business and Labor.

By Messrs. Smith, McDermott, Engel, Hogan and Downing:

H. 391. To provide that all paid firemen in cities or towns with a population of twenty-five thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year; and to provide for payment of double compensation for time worked in excess of 56 hours per average week.

Business and Labor.

By Messrs. McDermott, Engel, Downing and Smith:

H. 392. To propose an amendment to the Constitution of Alabama authorizing the municipalities of Mobile County to incur indebtedness in amounts not to exceed ten percentum of the assessed valuation of the property therein.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McDermott, Engel and Hogan:

H. 393. To amend Act No. 177, H. 97, Special Session 1961 (Acts 1961, v. 2, p. 2142) which regulates the business of selling, issuing or otherwise dispensing checks, drafts, money orders or other instruments for the transmission or payment of money, and the business of receiving money as agent for obligors for the purpose of paying such obligor's bills, invoices, or accounts, as a service or for a fee or other consideration.

Judiciary.

By Messrs. Goldthwaite, Little, Pierce, Goodwyn and Edington:

H. 394. To regulate further the conduct of elections; prescribing the time for returning certificates of results and certain other election material

to the official entitled to receive such material; repealing conflicting laws; and prescribing penalties.

Constitution and Elections.

By Messrs. Pierce, Goodwyn, Goldthwaite and Little:

H. 395. To amend schedule 105 of the Revenue Act of 1935, codified as section 569 of Title 51 of the Code of 1940, and thereby to classify photographers for privilege license tax purposes, and to establish the amount of the privilege license tax.

Ways and Means.

By Messrs. Young and Powell:

H. 396. Relating to crimes and offenses; abolishing the death sentence; prescribing a mandatory sentence of imprisonment for life upon conviction of certain crimes; restricting the right to parole; authorizing commutation by the Governor of certain sentences; and repealing conflicting laws.

Judiciary.

By Messrs. Bevill, Burns, Owens, Powell, Camp, Drake, Cook, Boston, Hannah, Smith, Bolton, Cantrell, Moore, Nabors, Downing, Carr, Snell, Pennington, Baker (Madison), Reynolds, Slate and Scurlock:

H. 397. To provide for and require that all elections, primary, special, general or municipal, except the general election to be held in November, 1964, and every two years thereafter, be held on Saturdays; amending Code 1940, Title 17, Section 101, 199, 216, 340, 360, 363, and 366, Code 1940, Title 37, Sections 41, 92, 94, 100, 281, and 404, and Section 2 of Act No. 663, S. 132, Regular Session 1961, which provides for and regulates the conduct of elections in towns and cities which have a commission form of government.

Constitution and Elections.

By Mr. Bevill:

H. 398. To provide for the safety of life, limb and property, and to create a board of boiler rules to serve without salary and to formulate and promulgate rules and regulations for the safe construction, installation, inspection and repair of boilers; to provide for the enforcement of the rules and regulations promulgated by the board of rules; to provide for the examination and appointment of boiler inspectors; to provide for the inspection of boilers, the fees to be charged therefor, and the reports to be made thereof; to provide for inspection certificates; to provide for appeals; to provide an appropriation to carry out the provisions of the act; and to provide a penalty for the violation of the provisions of this act.

Business and Labor.

By Messrs. Bevill, Scurlock, Burns, Drake, and Downing:

H. 399. To amend Title 26, Sections 261, 262, 263, 279, 289, 293, and 297, Code of Alabama 1940, which relates to the Workmen's Compensation Law.

Business and Labor.

By Messrs. Bevill, Scurlock, Burns, Drake and Downing:

H. 400. To prohibit and make unlawful the employment of persons.

from outside the state of Alabama who repeatedly offer themselves for employment where economic disputes exist, and further to restrict and provide punishment for organizations recruiting such persons from outside this state.

Business and Labor.

By Messrs. Bevil, Drake, Scurlock, Casey, Salter, Cook, Carr and Avery:

H. 401. Relating to taxation: To exempt certain ingredients used in mixing and preparing feeds for livestock and poultry from the State Sales and Use Taxes.

Ways and Means.

By Mr. McDermott:

H. 402. To make an appropriation for the relief of Mrs. Robert W. Fobes.

Ways and Means.

By Mr. Holladay:

H. 403. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-gamefish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

Conservation.

By Messrs. Hogan, Rogers, Engel, Edington, Smith, Downing, Fields and McDermott:

H. 404. Relating to counties having populations of not less than 300,000 nor more than 500,000; to provide further for fixing valuations of real property for ad valorem taxation.

Local Legislation No. 3.

By Messrs. Turner (Crenshaw), Wood, Smith, Stembridge, Paulk, Cooper, Cook, Sullivan, Owens, Nabors, Burns, Meade, Snell, Cates, Moore, Edington, Powell, Hogan, McDermott, Steagall, Glass, Bassett, Downing, Bolton, Burnham and Albee:

H. 405. To amend Section 195, Title 46, Code of Alabama (1940), as amended, by providing an increase from ten dollars to thirty dollars for each day actually employed in the discharge of official duties as compensation to the members of the state board of optometry.

State Administration.

By Messrs. Turner (Crenshaw), Wood, Smith, Stembridge, Paulk, Cooper, Cook, Sullivan, Owens, Nabors, Burns, Meade, Snell, Cates, Moore, Fields, Edington, Powell, Hogan, McDermott, Steagall, Glass, Bassett, Downing, Nettles, Bolton, Burnham and Albee:

H. 406. To amend Sections 210 and 211, Title 46, Code of Alabama (1940), as amended, which relates to the practice of optometry in stores or

business establishments, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists.

State Administration.

By Messrs. Turner (Crenshaw), Wood, Smith, Stenbridge, Paulk, Cooper, **Cook, Sullivan, Owens, Nabors, Burns, Meade, Snell, Cates, Moore, Edington, Powell, Hogan, McDermott, Steagall, Glass, Bassett, Downing, Nettles, Bolton, Burnham and Albea:**

H. 407. To amend Sections 197, 199, 200, and 205, Title 46, Code of Alabama (1940), as amended, by providing for an increase from twenty-five dollars to one hundred dollars for examination for a license to practice optometry, and to increase the fee from thirty-five dollars to one hundred fifty dollars for issue of a license to an Optometrist coming from another state to this state, and for an increase from twelve dollars to not more than fifty dollars to renew annually the license to practice optometry.

State Administration.

By Messrs. Davis, Nettles, Daniel, Paulk, Turnham, Jones (Covington), and McCorquodale:

H. 408. To create the office of spiritual guidance counselor for state highway camps.

State Administration.

BILLS ON THIRD READING

H. 313. Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hawkins	Pierce
Albea	Daniel	Heflin	Powell
Avery	Davis	Jones (Covington)	Reynolds
Bailes	Doggett	Jones (Monroe)	Rogers
Baker (DeKalb)	Downing	Locke	Salter
Barnett	Drake	McDermott	Scurlock
Bassett	Edington	Martin	Sessions
Bethea (M)	Edwards (Escambia)	Mashburn	Slate
Blanton	Edwards (Lowndes)	Meeks	Smith
Branyon	Faulk	Merrill	Steagall
Brown (Jefferson)	Fields	Moore	Stenbridge
Burnham	Gilmore	Morrow	Sullivan
Burns	Glass	NeSmith	Thomas
Camp	Hankins	Nettles	Vacca
Carr	Hannah	Paulk	Wood
Casey	Harper	Perry	Young
Collins			

—65

And the bill:

H. 335. (With Amendment). Relating to the authority of county

boards of education in counties having populations of not less than 28,000 nor more than 30,575, relative to selling and issuing interest bearing warrants.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend H. B. 335 by adding the following Section 4:

"Section 4. This Act shall expire September 1, 1963."

And the amendment was adopted.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pierce
Albea	Crawford	Heflin	Powell
Avery	Daniel	Hogan	Reynolds
Bailes	Davis	Jones (Covington)	Rogers
Baker (DeKalb)	Doggett	Jones (Monroe)	Salter
Barnett	Downing	Locke	Scurlock
Bassett	Edington	McDermott	Sessions
Bethea (M)	Edwards (Escambia)	Martin	Slate
Bevill	Edwards (Lowndes)	Mashburn	Smith
Blanton	Engel	Meeks	Steagall
Branyon	Faulk	Merrill	Stembridge
Brown (Jefferson)	Fields	Moore	Sullivan
Burnham	Gilmore	Morrow	Thomas
Burns	Glass	NeSmith	Turnham
Camp	Goodwyn	Nettles	Vacca
Carr	Hankins	Paulk	Wood
Casey	Hannah	Perry	Young
Collins			

—69

And said bill, H. 335, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Albea	Cooper	Harper	Pierce
Avery	Crawford	Heflin	Powell
Bailes	Daniel	Hogan	Reynolds
Baker (DeKalb)	Davis	Jones (Covington)	Rogers
Barnett	Doggett	Jones (Monroe)	Salter
Bassett	Downing	Locke	Scurlock
Bethea (M)	Drake	McDermott	Slate
Bevill	Edington	Martin	Smith
Blanton	Edwards (Escambia)	Mashburn	Steagall
Bowers	Edwards (Lowndes)	Meeks	Stembridge
Branyon	Engel	Merrill	Sullivan
Brown (Jefferson)	Faulk	Moore	Thomas
Burnham	Fields	Morrow	Turnham
Burns	Gilmore	NeSmith	Vacca
Camp	Glass	Nettles	Wood
Carr	Goodwyn	Paulk	Young
Casey	Hankins		

—70

H. 336 POSTPONED

On motion of Mr. Slate, consideration of the bill, H. 336, was postponed until the next legislative day.

And the bill:

H. 338. To alter and rearrange the boundaries of the Town of Gordo, Pickens County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pierce
Albea	Cornett	Harper	Powell
Avery	Crawford	Heflin	Reynolds
Bailes	Daniel	Hogan	Rogers
Barnett	Davis	Jones (Covington)	Salter
Bassett	Doggett	Jones (Monroe)	Scurlock
Bethea (M)	Dominick	Locke	Sessions
Bevill	Downing	McDermott	Slate
Blanton	Drake	Martin	Smith
Bolton	Edington	Mashburn	Snell
Bowers	Edwards (Escambia)	Meeks	Steagall
Branyon	Engel	Merrill	Stembridge
Brown (Jefferson)	Faulk	Moore	Sullivan
Burnham	Fields	Morrow	Thomas
Burns	Gilmore	NeSmith	Turnham
Camp	Glass	Nettles	Vacca
Carr	Goodwyn	Owens	Wood
Casey	Grouby	Paulk	Young
Collins	Hankins	Perry	

—75

And the bill:

S. 88. To provide for the relief of Mrs. Marilyn Stewart Drake; to authorize and direct the governing body of the City of Huntsville in Madison County to pay to said Mrs. Drake the sum of five thousand dollars (\$5,000) to compensate her for the death of her husband who was killed in the course of his employment by the city.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Bowers	Daniel	Fields
Albea	Branyon	Davis	Gilmore
Avery	Brown (Jefferson)	Doggett	Glass
Bailes	Burnham	Dominick	Goldthwaite
Baker (DeKalb)	Burns	Downing	Goodwyn
Barnett	Camp	Drake	Grouby
Bassett	Carr	Edington	Hankins
Bethea (M)	Casey	Edwards (Escambia)	Hannah
Bevill	Cates	Edwards (Lowndes)	Harper
Blanton	Collins	Engel	Heflin
Bolton	Crawford	Faulk	Hogan

Jones (Covington)	Morrow	Rast	Snell
Jones (Monroe)	NeSmith	Reynolds	Steagall
Little	Nettles	Rogers	Stembridge
Martin	Owens	Salter	Sullivan
Mashburn	Paulk	Scurlock	Turnham
Meeks	Perry	Sessions	Vacca
Merrill	Pierce	Slate	Wood
Moore	Powell	Smith	Young

—76

And the bill:

H. 317. To authorize and empower the Board of Revenue, Court of County Commissioners or other like governing bodies of all counties having a population in excess of 600,000 according to the last or any subsequent federal decennial census to provide and furnish uniforms for the personnel of any county home, poor farm, or alms house, owned and operated by any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0

Yeas:

Mr. Speaker	Cooper	Crouby	Perry
Albee	Crawford	Hannah	Pierce
Bailes	Daniel	Harper	Powell
Barnett	Davis	Heflin	Rast
Bassett	Doggett	Hogan	Reynolds
Bethea (M)	Dominick	Ingram	Rogers
Bevill	Downing	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Bolton	Edington	Locke	Sessions
Bowers	Edwards (Escambia)	Martin	Slate
Branyon	Edwards (Lowndes)	Mashburn	Smith
Brown (Jefferson)	Engel	Meeks	Steagall
Burnham	Etheredge	Merrill	Stembridge
Burns	Faulk	Moore	Sullivan
Camp	Fields	Morrow	Turnham
Carr	Gilmore	NeSmith	Vacca
Casey	Glass	Nettles	Wood
Cates	Goldthwaite	Owens	Young
Collins	Goodwyn	Paulk	

—75

And the bill:

H. 318. To alter, extend and rearrange the corporate limits of the City of Birmingham, in the County of Jefferson, and State of Alabama, by the inclusion within the corporate limits of said City of certain additional territory now or formerly included within the City of Fairfield.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Bailes	Barnett	Bethea (B)
Albee	Baker (DeKalb)	Bassett	Bethea (M)

Bevill	Dominick	Hogan	Pierce
Blanton	Downing	Holladay	Powell
Bolton	Drake	Ingram	Rast
Bowers	Edgington	Jones (Covington)	Reynolds
Branyon	Edwards (Escambia)	Jones (Monroe)	Rogers
Brown (Jefferson)	Edwards (Lowndes)	Locke	Salter
Burnham	Engel	Martin	Scurlock
Burns	Etheredge	Mashburn	Sessions
Camp	Faulk	Meeks	Slate
Carr	Fields	Merrill	Smith
Casey	Gilmore	Moore	Snell
Cates	Glass	Morrow	Steagall
Collins	Goldthwaite	NeSmith	Stembridge
Cooper	Grouby	Nettles	Sullivan
Crawford	Hannah	Owens	Turnham
Daniel	Harper	Paulk	Vacca
Davis	Hawkins	Perry	Wood
Doggett	Heflin		

—73

And the bill:

H. 319. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said city, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hogan	Perry
Albea	Davis	Holladay	Pierce
Bailes	Doggett	Ingram	Powell
Baker (BeKath)	Downing	Jones (Covington)	Rast
Barnett	Drake	Jones (Monroe)	Reynolds
Bassett	Edwards (Escambia)	Little	Rogers
Bethea (B)	Edwards (Lowndes)	Locke	Salter
Bethea (M)	Engel	McDermott	Scurlock
Bevill	Etheredge	Martin	Sessions
Blanton	Faulk	Mashburn	Smith
Bowers	Fields	Meeks	Snell
Branyon	Gilmore	Merrill	Steagall
Burnham	Glass	Moore	Stembridge
Burns	Goldthwaite	Morrow	Sullivan
Camp	Grouby	NeSmith	Turnham
Carr	Hannah	Nettles	Vacca
Casey	Harper	Owens	Wood
Cates	Heflin	Paulk	Young
Cooper			

—73

And the bill:

H. 263. To amend Code of Alabama 1940, Title 40, Section 1, relating to the appointment of commercial notaries public in each county of the State; providing for their appointment by the judges of probate of the several counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 13.

Yeas:

Mr. Speaker	Davis	Heflin	Perry
Albea	Dominick	Holladay	Pierce
Avery	Downing	Jones (Covington)	Powell
Bailes	Drake	Little	Rast
Baker (DeKalb)	Edwards (Escambia)	Locke	Reynolds
Bassett	Edwards (Lowndes)	McCorquodale	Rogers
Bethea (M)	Faulk	McDermott	Sessions
Bevill	Gilmore	Martin	Slate
Bowers	Glass	Mashburn	Snell
Branyon	Goldthwaite	Meeks	Steagall
Brown (Jefferson)	Goodwyn	Morrow	Stembridge
Burnham	Grouby	Nabors	Thomas
Burns	Hankins	NeSmith	Turner (Crenshaw)
Cook	Hannah	Nettles	Vacca
Crawford	Harper	Owens	Young
Daniel	Hawkins	Paulk	

—63

Nays:

Messrs.	Carr	Edington	Jones (Monroe)
Barnett	Casey	Hogan	Turnham
Bolton	Cates	Ingram	Wood
Camp	Cornett		

—13

And the bill:

H. 265. To amend Section 1 of Act No. 431, S. 155, Regular Session 1943 (Acts 1943, p. 400) further providing for the appointment of notaries public for the state at large.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 11.

Yeas:

Mr. Speaker	Daniel	Harper	Paulk
Albea	Davis	Heflin	Perry
Bailes	Dominick	Holladay	Pierce
Baker (DeKalb)	Downing	Jones (Covington)	Powell
Bassett	Drake	Little	Pruitt
Bethea (M)	Edwards (Escambia)	Locke	Reynolds
Bowers	Edwards (Lowndes)	McCorquodale	Rogers
Branyon	Engel	McDermott	Salter
Brown (Jefferson)	Faulk	Martin	Sessions
Burnham	Gilmore	Mashburn	Slate
Burns	Glass	Meeks	Smith
Camp	Goldthwaite	Morrow	Steagall
Casey	Goodwyn	Nabors	Stembridge
Cook	Grouby	NeSmith	Sullivan
Cornett	Hankins	Nettles	Thomas
Crawford	Hannah	Owens	Vacca

—64

Nays:

Messrs.	Carr	Cooper	Jones (Monroe)
Barnett	Cates	Edgington	Turnham
Bolton	Collins	Ingram	Wood

—11

And the bill:

H. 266. To amend Code of Alabama 1940, Title 41, Section 10, in relation to the commissioning of notaries public.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 8.

Yeas:

Mr. Speaker	Davis	Hogan	Pierce
Albea	Doggett	Holladay	Powell
Avery	Dominick	Ingram	Pruitt
Bailes	Downing	Jones (Covington)	Rast
Baker (DeKalb)	Drake	Locke	Reynolds
Bassett	Edwards (Escambia)	McCorquodale	Rogers
Bethea (M)	Edwards (Lowndes)	McDermott	Salter
Bevill	Engel	Martin	Sessions
Bowers	Faulk	Mashburn	Slate
Branyon	Gilmore	Meeks	Smith
Brown (Jefferson)	Glass	Moore	Snell
Burnham	Goldthwaite	Morrow	Steagall
Burns	Goodwyn	Nabors	Stembridge
Camp	Grouby	NeSmith	Sullivan
Casey	Hankins	Nettles	Thomas
Cook	Hannah	Owens	Vacca
Crawford	Harper	Paulk	Young
Daniel	Heflin	Perry	

—71

Nays:

Messrs.	Cates	Cornett	Turnham
Bolton	Collins	Jones (Monroe)	Wood
Carr			

—8

And the bill:

H. 145. To amend further Code of Alabama 1940, Title 26, Section 362, which relates to the employment of child labor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 47; Nays 24.

Yeas:

Mr. Speaker	Brown (Jefferson)	Davis	Edwards (Lowndes)
Avery	Burnham	Doggett	Engel
Bassett	Burns	Downing	Faulk
Blanton	Cornett	Edgington	Glass
Branyon	Daniel	Edwards (Escambia)	Goldthwaite

Grouby	McCorquodale	Nettles	Stembridge
Hankins	McDermott	Owens	Sullivan
Hannah	Martin	Paulk	Thomas
Heflin	Mashburn	Scurlock	Vacca
Jones (Covington)	Meeks	Smith	Wood
Little	Moore	Snell	Young
Locke	NeSmith	Steagall	

—47

Nays:

Messrs.	Camp	Etheredge	Perry
Bailes	Carr	Gilmore	Pierce
Barnett	Casey	Goodwyn	Rast
Bethea (B)	Cates	Hogan	Sessions
Bethea (M)	Collins	Ingram	Slate
Bolton	Crawford	Jones (Monroe)	Turner (Limestone)
Bowers			

—24

POINT OF PERSONAL PRIVILEGE

Mr. Turner (Limestone) requested as a matter of personal privilege that the Journal show that he was absent on the sixth legislative day when the bills, H. 182 and H. 217, were up for final passage. He requested that the Journal show that had he been present he would have voted "nay" on the passage of H. 182, as amended, and on H. 217, as amended.

BILLS ON THIRD READING RESUMED

H. 42. (With Substitute). To authorize and make provision for the incorporation of Airport Authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities including offices, hangars and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such authority and leasing or letting such buildings, structures or facilities; to provide that in order for any such Authority to be organized, application must be made to the governing body of one or more counties, cities or towns in Alabama, and permission for organization of such Authority must be obtained from each such governing body to which application is made; to provide for the selection of the directors and officers of each such Authority; to specify the powers of each such Authority; to endow each such Authority with the power of eminent domain; to provide that any county, city, town or other political subdivision, public corporation, agency or instrumentality of this State within this State may aid and cooperate with any such Authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey or transfer to any such Authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought or maintained against any such Authority or any director thereof for or on account of the negligence of the Authority or director or of its or his agents, servants or employees; to authorize the issuance by each such Authority of interest bearing revenue bonds payable solely out of the revenues of the Authority issuing such bonds; to specify provisions of such revenue bonds issued by any such Authority and to provide that such rev-

enue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such Authority may be secured by pledge of any of the revenues of the Authority issuing such bonds, whether the Authority's right to such revenues then exists or may thereafter come into existence and by non-foreclosable mortgage on any property of any such Authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the Authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the Authority is located and in any other county in which there is located any property of the Authority, the revenues from which are so pledged; to provide that any such Authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, city or town within the State; to specify the uses to which the proceeds of revenue bonds issued by any such Authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issued by any such Authority and the income therefrom and the property and income of any said Authority; to authorize the investment of any idle funds of any county, city or town within this State in bonds issued by any such Authority; to provide that bonds issued by any such Authority shall be legal investments for fiduciaries, savings banks and insurance companies, to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To authorize and make provision for the incorporation of Airport Authorities as public corporations for the purpose of acquiring, constructing, enlarging, equipping, improving, maintaining, developing and operating airports, heliports, airport buildings and facilities, including offices, hangars and facilities for airlines, and of constructing, acquiring, establishing, improving, extending, enlarging, reconstructing, equipping, maintaining, repairing and operating buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibit, exhibitions, or for the conduct of any lawful business, at, upon, or adjacent to any airport, heliport or aircraft landing area owned or operated by any such Authority and leasing or letting such buildings, structures or facilities; to provide that an order for any such Authority to be organized, application must be made to the governing body of one or more counties, cities or towns in Alabama, and permission for organization of such Authority must be obtained from each such governing body to which application is made; to provide for the selection of the directors and officers of each such Authority; to specify the powers of each such Authority; to endow each such Authority with eminent domain and zoning powers; to exempt each such Authority from laws, ordinances and regulations relating

to zoning or relating to the advertising and award by the State and its departments of construction or purchase contracts; to provide that any county, city, town, or other political subdivision, public corporation, agency or instrumentality of this State within this State may aid and cooperate with any such Authority in the planning, undertaking, acquisition, construction and operation of airports, heliports and air navigation facilities and may lend, give, donate, sell, convey, or transfer to any such Authority money, property (including existing airports and airport facilities) or any right capable of transfer; to provide that no action or suit shall be brought or maintained against any such Authority or any director thereof for or on account of the negligence of the Authority or director or of its or his agents, servants, or employees; to authorize the issuance by each such Authority of interest bearing revenue bonds payable solely out of the revenues of the Authority issuing such bonds; to specify provisions of such revenue bonds issued by any such Authority and to provide that such revenue bonds shall be deemed negotiable instruments; to provide that such revenue bonds issued by any such Authority may be secured by pledge of any of the revenues of the Authority issuing such bonds, whether the Authority's rights to such revenues then exists or may thereafter come into existence and by non-foreclosable mortgage on any property of any such Authority whether then in existence or thereafter acquired; to provide that such pledge may be provided for in an indenture between the Authority issuing such bonds and a trustee or by resolution providing for the issuance of the bonds; to provide that such pledges shall be valid and binding when made and effective against third parties without notice from the time a statement thereof is filed in the office of the judge of probate of the county in which the principal office of the Authority is located and in any other county in which there is located any property of the Authority, the revenues from which are so pledged; to provide that any such Authority may include in any indenture or resolution authorizing the issuance of such bonds provisions customarily contained in instruments securing evidence of indebtedness; to provide that bonds issued and contracts entered into by any such Authority pursuant to this Act shall not constitute or create a debt of the State or of any county, city or town within the State; to specify the uses to which the proceeds of revenue bonds issued by any such Authority may be put; to authorize the refunding of said bonds; to provide for remedies in the event of any default; to exempt from all taxation the bonds issue by any such Authority and the income therefrom and the property and income of any said Authority; to authorize the investment of any idle funds of any county, city or town within this State in bonds issued by any Authority; to provide that bonds issued by any such Authority shall be legal investments for fiduciaries, savings banks and insurance companies; to authorize the publication of notice of the adoption of any resolution authorizing the issuance of bonds by any Authority and specifying the time after such publication within which actions and defenses may be asserted respecting such bonds, pledge and indenture and the proceedings authorizing the same; and to provide for the dissolution of any such Authority and the disposition of its property.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Definitions. When used in this act, unless the context plainly indicates otherwise, the present tense shall include the future tense, the singular shall include the plural, the plural shall include the singular and the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, except a parachute or other contrivance designed for use primarily as safety equipment.

"Airport" shall mean any area of land or water which is used, or intended for use, for the landing, taking-off, storage, parking or dispersal of air-

craft, and any appurtenant areas which are used, or intended for use, for airport buildings, facilities or rights-of-way, together with all airport buildings, structures and facilities located thereon.

"Airport building" shall mean any building used or to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the Authority.

"Airport facility" shall mean any building, structure, land, right-of-way, equipment or instrumentality used or to be used in connection with the construction, enlargement, development, maintenance or operation of an airport or heliport or in connection with the exercise of any power of the Authority.

"Air navigation facility" shall mean any facility used in, available for use in, or designed for use in aid of, air navigation, including any structures, mechanisms, lights, beacons, markers, communicating systems or other instrumentalities, or devices used or useful as an aid, or constituting an advantage or convenience to the safe taking-off, navigation and landing of aircraft, or the safe and efficient operation or maintenance of an airport, and any combination of any or all of such facilities.

"Authority" means a public corporation organized pursuant to the provisions of this Act.

"Authorizing subdivision" means any county, city or town in this State whose governing body receives an application for permission to organize an Authority.

"Board" means the Board of Directors of the Authority.

"Bond" means any bond authorized to be issued pursuant to the provisions of this Act.

"Coupons" means any interest coupon evidencing an installment of interest payable with respect to a bond.

"Director" means a member of the board of directors of the Authority.

"Heliport" shall mean an airport designed primarily for use by helicopters.

"Indenture" means a mortgage, an indenture of mortgage, deed of trust, trust agreement or trust indenture executed by the Authority as security for bonds.

"State" means the State of Alabama.

Section 2. **AUTHORITY AND PROCEDURE TO INCORPORATE.** Pursuant to the provisions of this Act, Airport Authorities may be organized as public corporations with the powers herein set forth. To organize such a corporation, not less than three natural persons shall file with the governing body of any one or more counties, cities or towns within this State an application in writing for permission to incorporate a public corporation under the provisions of this Act and shall attach to such application a proposed form of certificate of incorporation for such corporation. If each governing body with which the application is filed shall adopt a resolution (which need not be published or posted) approving the form of such certificate of incorporation and authorizing the formation of such a public corporation, then said applicants shall become the incorporators of and shall proceed to incorporate the Authority as a public corporation in the manner hereinafter provided, using for that purpose the form of the certificate so approved.

Section 3. CONTENTS OF CERTIFICATE OF INCORPORATION. The certificate at incorporation of the Authority shall state: (a) the names of the persons forming the Authority, together with the residence of each and a statement that each of them is a duly qualified elector of and owner of property in the State; (b) the name of the Authority (which name shall include the words "AIRPORT AUTHORITY"); (c) the period for the duration of the Authority (if the duration is to be perpetual that fact shall be so stated); (d) the name of each of the authorizing subdivisions, together with the date on which the governing body thereof adopted a resolution authorizing the incorporation of the Authority; (e) the proposed location of the principal office of the Authority, which shall be in this State; and (f) any other matters relating to the Authority that the incorporators may choose to insert and that is not inconsistent with this Act or with the laws of the State.

Section 4. EXECUTION AND RECORDING OF CERTIFICATE OF INCORPORATION. The certificate of incorporation of the Authority shall be signed and acknowledged by the incorporators before an officer authorized by laws of the State to take acknowledgments to deeds and shall have attached thereto a certified copy of each of the resolutions provided for in Section 2 hereof and a certificate by the Secretary of State that the name proposed for the Authority is not identical to that of any other corporation organized under the laws of the State or so nearly similar thereto as to lead to confusion and uncertainty. The certificate of incorporation of the Authority, together with the documents required by the preceding sentence to be attached thereto, shall be filed for record in the office of the Judge of Probate of the county specified in the certificate of incorporation as the county in which the principal office of the Authority shall be located. The Judge of Probate shall forthwith receive and record the same. When such a certificate of incorporation and attached documents have been so filed, the Authority referred to therein shall come into existence and shall constitute a public corporation under the name set forth in such certificate of incorporation, whereupon the Authority shall be vested with the rights and powers herein granted.

Section 5. BOARD OF DIRECTORS OF THE AUTHORITY. Each Authority shall be governed by a board of directors of three or more members, selected as provided herein. If the sole authorizing subdivision is a county, the governing body of said county shall elect three members. In all other cases, one member shall be elected by the governing body of each authorizing subdivision; one member shall be elected by the governing body of the county in which is located the principal place of business of the Authority specified in the certificate of incorporation if such county is not an authorizing subdivision; and one additional member shall be agreed to and elected by the governing bodies of all the authorizing subdivisions and the governing body of said county in which is located the principal place of business of the Authority specified in the certificate of incorporation. In the event of a vacancy which continues for more than thirty days in the office of the said additional member to be elected by all governing bodies, then and in such event the Governor of Alabama shall, upon the request of any one of such governing bodies, appoint the said additional member. Each member elected by the governing body of one of the authorizing subdivisions shall be a resident of the authorizing subdivision by whose governing body he was elected, but the said additional member need only be a resident of the county in which is located the principal place of business of the Authority specified in the certificate of incorporation. No officer of the State or any county, city or town therein shall, while holding such office, be eligible to serve as a director. The term of office of each director shall be four years. If any director resigns, dies or becomes incapable or ineligible to act as a director, a successor to serve the unexpired portion of his term shall be elected in the manner prescribed hereinabove by the governing body which elected the director whose unexpired term he is filling or, in the case of the additional member, by all the governing bodies (and failing such election for a period more than thirty days, shall be appointed by the Governor, up-

on the request of any such governing body). Directors shall be eligible for re-election.

A majority of the members of the board of directors shall constitute a quorum for the transaction of business but any meeting of such board may be adjourned from time to time by a majority of the directors present or may be so adjourned by a single director if such director is the only director present at such meeting. No vacancy in the membership of the board of directors shall impair the right of a quorum to exercise all the powers and duties of the Authority. The board of directors shall hold regular meetings on the second Tuesday in each month and at such other times as may be provided in the by-laws of the Authority; and such board may hold other meetings at any time and from time to time, provided that upon call of the chairman of the Authority or any two directors, a special meeting of the board must be held. Any matter on which the board of directors is authorized to act may be acted upon at any regular, special or called meeting. At the request of any directors, the vote on any question before the board shall be taken by yeas and nays and entered upon the record. All proceedings of the board shall be reduced to writing by the secretary of the Authority, recorded in a well bound book and open to each director and to the public at all times. Copies of such proceedings, when certified by the secretary of the Authority under its seal, shall be received in all courts as evidence of the matters and things therein certified. Each director shall be reimbursed for expenses actually incurred by him in and about the performance of his duties. If the certificate of incorporation so provides, each director shall also be compensated by the Authority in an amount not to exceed \$20.00 per month, at a rate authorized by the board and by the certificate but not to exceed \$10.00 for each board meeting attended by him. Any director of the Authority may be impeached and removed from office in the same manner and on the same grounds provided by Section 175 of the Constitution of Alabama and the general laws of the state for impeachment and removal of the officers mentioned in said Section 175.

Section 6. OFFICERS OF THE AUTHORITY. The officers of the Authority shall consist of a chairman, a vice-chairman, a secretary, a treasurer and such other officers as the board shall deem necessary to accomplish the purposes for which the Authority was organized. The chairman, vice-chairman and secretary of the Authority shall be elected by the board from its membership, but neither the treasurer nor any of the other officers of the Authority need be a member of the board of directors. The offices of secretary and treasurer may, but need not be, held by the same person. The chairman, vice-chairman and secretary of the Authority shall be elected by the board for a term of one year, and the treasurer and the other officers of the Authority shall be elected by the board for such term as it deems advisable. The board shall have also the authority to employ all personnel as it deems necessary and to fix the terms and conditions of their employment. The duties of the chairman, vice-chairman, secretary and treasurer shall be such as are customarily performed by such officers and as may be prescribed by the board. The duties of any other officer of the Authority shall be such as are from time to time prescribed by the board.

Section 7. POWERS OF THE AUTHORITY--IN GENERAL. The Authority shall have the following powers together with all powers incidental thereto or necessary to the discharge thereof in corporate form: (1) to have succession by its corporate name for the duration of time (which may be in perpetuity) specified in its certificate of incorporation; (2) to sue and be sued in its own name in civil suits and actions, excepting actions in tort against the Authority; (3) to adopt and make use of a corporate seal and to alter the same at pleasure; (4) to adopt and alter by-laws for the regulation and conduct of its affairs and business; (5) to acquire, receive, take and hold, whether by purchase, gift, lease, devise or otherwise, property of every description, whether real, personal or mixed, whether in one or more counties and whether within or without the corporate limits of any authorizing sub-

division, and to manage said property, and to develop any undeveloped property owned, leased or controlled by it; (6) to execute such contracts and other instruments and to take such other action as may be necessary or convenient to carry out the purposes of this Act or the exercise of any power granted hereunder; (7) to plan, establish, develop, acquire, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and air navigation facilities, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, including the acquisition, construction, installation, equipment, maintenance and operation at such airports of buildings, hangars, and other facilities for airlines and the servicing of aircraft or for the comfort and accommodations of air travelers and the purchase and sale of supplies, goods, and commodities as are incident to the operation of its airport properties; (8) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain, repair, and operate heliports, aerial aircraft (by whatever name such may be known) landing, loading or storage areas and transportation terminals, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision; (9) to construct, acquire, establish, improve, extend, enlarge, reconstruct, equip, maintain and repair buildings, structures and facilities suitable for use as manufacturing plants, industrial plants, retail shopping areas or centers, parks, exhibits, exhibitions or for the conduct of any lawful business at upon or adjacent to any airport, heliport or aircraft landing area owned or operated by such Authority whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, and to lease or let such buildings, structures and facilities or any one or more of them to such tenant or tenants, for such term or terms, at such compensation or rental and subject to such provisions, limitations and conditions as the Authority may require or approve; (10) to furnish or supply upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority to persons and aircraft thereon for reward or compensation, goods, commodities, area, facilities and services convenient or useful to the owners, operators and users of aircraft, and to persons upon said airport, heliport or aircraft landing area, including, without limiting the generality of the foregoing, food, lodging, shelter, lawful drinks, confections, reading matter, oil, gasoline motors, and aircraft motors and aircraft parts and equipment, space in buildings, space for buildings and structures, and the services of mechanics, instructors and hostlers; (11) to confer upon individuals, firms, corporations or companies for reward or compensation the privilege or concession of supplying upon any airport, heliport or aircraft landing area owned or operated by or under the jurisdiction of the Authority, all or any part of the goods, commodities, things, services and facilities in clause (10) of this section authorized to be supplied; (12) to acquire (by eminent domain and otherwise), establish, construct, expand, own, control, equip, improve, maintain, operate and regulate satellite airports or landing fields for the use of aircraft in the State whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision; (13) to acquire, by purchase, gift, devise, lease, eminent domain proceedings or otherwise, existing airports and air navigation facilities, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, provided, however, that the Authority shall not acquire or take over any airport or air navigation facility owned or controlled by any county, city, town, or public agency of the State, or any one or more thereof, without the consent of such county, city, town, or public agency; (14) to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; (15) to pledge for payment of such bonds any revenues and funds from which such bonds are made payable; (16) to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes for which the Authority was organized; (17) to exercise the power of eminent domain in the manner and subject to the provisions of Title 19 of the Code of Alabama of 1940, as amended, with respect to any property, real, personal or mixed, whether in one or more

counties and whether within or without the corporate limits of any authorizing subdivision, including air space, structures and obstructions to flights, and property already devoted to public use, that may be necessary for the construction, extension, maintenance, operation, protection, enlargement, improvement or preservation of an airport or airport facility; (18) to appoint, employ, contract with and provide for compensation of such officers, employees and agents, including engineers, attorneys, consultants, fiscal advisers and such other employees as the business of the Authority may require, including the power to fix working conditions by general rule and other conditions of employment and at its option to provide a system of disability pay, retirement compensation and pensions, or any of them, and to hire and fire servants, agents, employees and officers at will; (19) to fix, establish, collect, and alter landing fees, tolls, rents and other charges for the use of any airport, heliport, landing area, building, structure, facility or other property owned or controlled by the Authority; (20) to make and enforce rules and regulations governing the use of any airport, heliport, landing area or airport facility owned or controlled by the Authority; (21) to provide for such insurance, including use and occupancy insurance, as the board may deem advisable; (22) to invest any funds of the Authority that the board may determine are not presently needed for its corporate purposes in any obligations which are direct general obligations of the United States of America or which are unconditionally guaranteed as to both principal and interest by the United States of America, or in bonds of this State or any county, city or town therein; (23) to cooperate with the State, any county, city, town, public corporation, agency, department, or political subdivision of the State and to make such contracts with them or any of them as the board may deem advisable to accomplish the purposes for which the Authority was established; (24) to sell and convey any of its properties that may have become obsolete or worn out or that may no longer be needed or useful; (25) to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any airport, heliport, or airport facility from the United States of America or any agency thereof, and from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatever; (26) to purchase equipment and supplies necessary or convenient for the exercise of any power of the Authority; and (27) to enter into a management agreement or agreements with any county, city or town in the State for the management by the Authority of any airport, heliport, air navigation facility, or other facility useful to the Authority, whether in one or more counties and whether within or without the corporate limits of any authorizing subdivision, upon such terms and conditions as may be mutually agreeable.

Section 8. FEDERAL AND STATE AID. The Authority is authorized to accept, receive, receipt for, disburse and expend Federal and State moneys, and other moneys, public or private, made available by grant or loan or both to accomplish, in whole or in part, any of the purposes of this Act. All Federal moneys accepted under this section shall be accepted and expended by the Authority upon such terms and conditions as are prescribed by the United States and as are not inconsistent with the laws of this State, and all State moneys accepted under this section shall be accepted and expended by the Authority upon such terms and conditions as are prescribed by law.

Section 9. COOPERATION. For the purpose of aiding and cooperating with the Authority in the planning, developing, undertaking, construction, extension, improvement or operation of airports, heliports and air navigation facilities, any county, city, town, or other political subdivision, public corporation, agency or instrumentality of this State may, upon such terms and with or without consideration, as it may determine:

- (a) Lend or donate money to the Authority;

(b) Provide that all or a portion of the taxes or funds available or to become available to it, or required by law to be used by it for airport purposes, shall be transferred or paid directly to the Authority as such funds become available to it;

(c) Cause water, sewer or drainage facilities, or any other facilities which it is empowered to provide, to be furnished adjacent to or in connection with such airports, heliports or air navigation facilities;

(d) Donate, sell, convey, transfer or lease to the Authority any land, property, franchise, grant easement, license or lease, which it may own;

(e) Donate, sell, convey or lease any airport, airport property, heliport or heliport property, or any interest in any thereof owned by it, to the Authority;

(f) Donate, transfer, assign, sell or convey to the Authority any right, title or interest which it may have in any lease, contract, agreement, license or property;

(g) Furnish, dedicate, close, pave, repair, install, grade, regrade, plan or replan streets, roads, roadways, and walks from established streets or roads to such airport or air navigation facilities or abutting or adjacent to such airports or air navigation facilities; and

(h) Do any and all thing, whether or not specifically authorized in this section and not otherwise prohibited by law, that are necessary or convenient to aid and cooperate with the Authority in the planning, undertaking, construction, or operation of airports, heliports and air navigation facilities.

Section 10. SUITS AGAINST THE AUTHORITY OR ANY DIRECTOR. No action or suit shall be brought or maintained against the Authority or any director thereof for or on account of the negligence of such authority or director, or its or his agents, servants or employees, in or about the construction, maintenance, operation, superintendence or management of any airport, heliport or other facility owned or controlled by the Authority.

Section 11. BONDS OF THE AUTHORITY. The Authority shall have the power and is hereby authorized at any time and from time to time to issue and sell its interest bearing revenue bonds for any of its corporate purposes. The principal of and the interest on all such bonds shall be payable solely from, and may be secured by a pledge of, the revenues derived by the Authority from the operation of any or all of its airports, heliports, facilities and other property. None of the bonds issued or contracts entered into by the Authority shall ever constitute or create an obligation or debt of the State, or of any county, city or town within the State or a charge against the credit or taxing powers of the State, or of any county, city or town within the State. Bonds of the Authority may be issued at any time and from time to time, may be in such form and denominations, may be of such tenor, may be payable in such installments and at such time or times not exceeding forty years from their date, may be payable at such place or places whether within or without the State and may bear interest at such rate or rates payable and evidenced in such manner, all as shall not be inconsistent with the provisions of this Act and as may be provided in the proceedings of the board wherein the bonds shall be authorized to be issued. Any bond having a stated maturity more than ten years after its date shall be made subject to redemption at the option of the Authority not later than the expiration of ten years from its date and on any interest payment date thereafter at such price or prices and after such notice or notices and on such terms and in such manner as may be provided in the proceedings of the board wherein it is authorized to be issued. Bonds of the Authority may be sold at public or private sale in such

manner and from time to time as may be determined by the board. The Authority may pay all reasonable expenses, premiums, fees and commissions that the board may deem necessary or advantageous in connection with the authorization, sale and issuance of its bonds. All bonds shall contain a recital that they are issued pursuant to the provisions of this Act, which recital shall be conclusive that they have been duly authorized pursuant to the provisions of this Act. Neither a public hearing nor consent of the State Department of Finance shall be prerequisite to the issuance of bonds by any Authority. Notwithstanding the fact that they are payable solely from a specified source, all bonds issued under the provisions of this Act shall be deemed negotiable instruments within the meaning of the negotiable instruments law of the State if they otherwise possess all the characteristics of negotiable instruments under the laws of the State.

Section 12. EXECUTION OF BONDS. All bonds shall be signed by the chairman or vice-chairman and the secretary or treasurer of the Authority and the seal of the Authority shall be affixed thereto; provided that a facsimile of the signature of one, but not both, of the officers whose signatures will appear on the bonds may be imprinted or otherwise reproduced thereon in lieu of his manually signing the same; and provided further, that a facsimile of the seal of the Authority may be imprinted or otherwise reproduced on the bonds in lieu of being manually affixed thereto. Coupons shall be signed by the chairman or vice-chairman and the secretary or treasurer of the Authority, but a facsimile of the signature of such chairman or vice-chairman and such secretary or treasurer may be impressed or otherwise reproduced on any such interest coupons in lieu of their manually signing the same. Delivery of bonds so executed shall be valid notwithstanding any changes in officers or in the seal of the Authority after the signing and sealing of the bonds.

Section 13. SECURITY FOR BONDS. In the discretion of the Authority any bonds may be issued under and secured by an indenture between the Authority and a trustee. Said trustee may be a private person or corporation, including but not limited to any trust company or bank having trust powers, whether such bank or trust company is located within or without the State. In any such indenture or resolution providing for the issuance of bonds the Authority may pledge, for payment of the principal of and the interest on such bonds any of its revenues to which its right then exists or may thereafter come into existence and may assign, as security for such payment, any of its leases, franchises, permits and contracts; and in any such indenture, the Authority may mortgage any of its properties, including any that may be thereafter acquired by it, but no such mortgage or assignment or deed of trust shall be subject to the sale of the Authority's property at foreclosure to private ownership. Any such pledge of revenues shall be valid and binding from the time it is made, and the revenues so pledged and thereafter received by the Authority shall immediately become subject to the lien of such pledge without any physical delivery thereof or further act. The lien of such pledge shall be valid and binding against all parties having claims of any kind in tort, contract or otherwise against the Authority, irrespective of whether the parties have actual notice thereof, from the time a statement is filed in the office of the Judge of Probate of the county in which is located the principal office of the Authority specified in the certificate of incorporation and any other county in which any part of the property the revenues from which are so pledged, is located. Such notice need state only the date on which the resolution authorizing the issuance of the bonds was adopted by the board, the principal amount of bonds issued, a brief description of the revenues so pledged and a brief description of any property the revenues from which are so pledged. In any indenture or resolution authorizing the issuance of bonds and pledging for the benefit thereof revenues from any one or more of its airports, heliports, buildings or facilities, the Authority shall have the power to include provisions customarily contained in instruments securing evidence of indebtedness, including, without limiting the generality of the foregoing, pro-

visions respecting the collection, segregation and application of any rental or other revenue due to or to become due to the Authority, the terms to be incorporated in any lease agreement respecting any property of the Authority, the maintenance and insurance of any building or structure owned by the Authority, the creation and maintenance of special funds from any revenue of the Authority and the rights and remedies available in the event of default to the holder of the bonds or the trustee under the indenture, all the board shall deem advisable and as shall not be in conflict with the provisions of this Act. If there be any default by the Authority in payment of the principal of or the interest on the bonds or in any of the agreements on the part of the Authority that may properly be included in any indenture securing the bonds, any holder of any of the bonds or any of the coupons, or the trustee under any indenture if so authorized in such indenture, may (in addition to any other remedies herein provided or otherwise available) either at law or in equity, by suit, action, mandamus or other proceedings, enforce payment of such principal or interest and compel performance of all duties of the board and officers of the Authority, and shall be entitled as a matter of right and regardless of the sufficiency of any such security to the appointment of a receiver in equity with all the powers of such receiver for the operation and maintenance of the property of the Authority covered by such indenture and the collection, segregation and application of revenues therefrom. The indenture may also contain provisions restricting the individual rights of action of the holders of the bonds and coupons.

Section 14. USE OF PROCEEDS FROM SALE OF BONDS. The proceeds derived from the sale of any bonds (other than refunding bonds) may be used only to pay the cost of acquiring, constructing, improving, enlarging and equipping the airport, facilities or property with respect to which they were issued, as may be specified in the proceedings in which the bonds are authorized to be issued. Such cost shall be deemed to include the following: the cost of any land forming a part of such airport, facilities or property; the cost of labor, material and supplies used in any such construction, improvement or enlargement, including architect's and engineer's fees and the cost of preparing contract documents and advertising for bids; the purchase price of and the cost of installing equipment for the airport facilities or property; the cost of landscaping the lands forming a part of such airport, facilities or property and of constructing and installing roads, sidewalks, curbs, gutters, utilities, and parking places in connection with the airport, facilities or property; legal, fiscal and recording fees and expenses incurred in connection with the authorization, sale and issuance of the bonds issued in connection with such airport, facilities or property; and interest on said bonds for a reasonable period prior to and during the time required for such construction and equipment and for not exceeding eighteen months after completion of such construction and equipment. If any of the proceeds derived from the sale of said bonds remains undisbursed after completion of such work and payment of all of the said costs and expenses, such balance shall be used for retirement of the principal of the bonds of the same issue.

Section 15. REFUNDING BONDS. The Authority may at any time and from time to time issue refunding bonds for the purpose of refunding the principal of and the interest on any bonds of the Authority theretofore issued hereunder and then outstanding, whether or not such principal and interest shall have matured at the time of such refunding, and for the payment of any expenses incurred in connection with such refunding and any premium necessary to be paid in order to redeem, retire or purchase for retirement the bonds to be refunded. The proceeds derived from the sale of any refunding bonds shall be used only for the purposes for which the refunding bonds were authorized to be issued. Any such refunding may be effected either by sale of the refunding bonds and the application of the proceeds thereof, or by exchange of the refunding bonds for the bonds or interest coupons to be refunded thereby; provided that the holders of any

bonds or coupons so to be refunded shall not be compelled without their consent to surrender their bonds or coupons for payment or exchange prior to the date on which they may be paid or redeemed by call of the Authority under their respective provisions. All provisions of this Act pertaining to bonds of the Authority that are not inconsistent with the provisions of this section shall, to the extent applicable, also apply to refunding bonds issued by the Authority. The Authority may at any time and from time to time issue bonds for the purpose of so refunding the principal of and the interest on any of its bonds and for any other purpose for which it is authorized to issue bonds, in which event the provisions hereof respecting refunding bonds shall apply on to that portion of such combined issue authorized for refunding purposes and the provisions hereof respecting other financing shall apply to the remaining portion of such combined issue.

Section 16. EXEMPTION FROM TAXATION. The bonds issued by the Authority and the income therefrom shall be exempt from all taxation in the State. All property and income of the Authority shall be exempt from all State, county, municipal and other local taxation; provided however, this exemption shall not be construed to exempt concessionaires, licensees, tenants, operators or lessees of the Authority from the payment of any taxes, including licenses or privilege taxes levied by the State, the county or any municipality in the State.

Section 17. INVESTMENT OF COUNTY AND MUNICIPAL FUNDS IN BONDS OF THE AUTHORITY. The governing body of any county, city or town within this State is authorized in its discretion to invest in bonds of the Authority any idle or surplus money held in its treasury.

Section 18. ELIGIBILITY OF BONDS AS INVESTMENTS FOR TRUST FUNDS. Bonds issued under the provisions of this Act are hereby made legal investments for executors, administrators, trustees and other fiduciaries, unless otherwise directed by the court having jurisdiction of the fiduciary relation or by the document that is the source of the fiduciary's authority. Such bonds shall be legal investments for savings banks and insurance companies organized under the laws of the State.

Section 19. NOTICE OF BOND RESOLUTION. Upon the adoption by the board of any resolution providing for the issuance of bonds, the Authority may in its discretion cause to be published once a week for two consecutive weeks, in a newspaper that is customarily published in this State not less than five days in each calendar week and distributed in the county in which is located the principal office of the Authority, a notice in substantially the following form (the blanks being properly filled in) at the end of which there shall be printed the name and title of either the chairman or secretary of the Authority: "_____, a public corporation of the State of Alabama, on the _____ day of _____, authorized the issuance of \$_____ principal amount of revenue bonds of the said corporation for purposes authorized in the act of the Legislature of Alabama under which the said corporation was organized. Any action or proceeding questioning the validity of the said bonds, or the pledge and any instruments securing such bonds, or the proceedings authorizing the same, must be commenced within thirty days after the first publication of this notice." Any action or proceeding in any court to set aside or question the proceedings for the issuance of the bonds referred to in said notice or to contest the validity of any such bonds or the validity of the pledge and any instruments made to secure such bonds must be commenced within thirty days after the first publication of such notice. After the expiration of the said period no right of action or defense questioning or attacking the validity of the said proceedings, the said bonds or the said pledge or instruments shall be asserted, nor shall the validity of the said proceedings, bonds, pledge or instruments be open to question in any court on any ground whatsoever except in an action commenced within such period.

Section 20. EXEMPTION FROM CONTRACTING, PURCHASING AND ZONING RESTRICTIONS; ZONING POWERS. Authorities organized pursuant to this Act shall be exempt from the laws relating to the advertising and award of construction contracts and purchase contracts made by or in behalf of the State and its departments, and shall be exempt from all zoning laws, ordinances and regulations. Any Authority organized pursuant to the provisions of this Act shall have the same zoning powers, with respect to the zoning of airports in unincorporated areas owned or operated by such Authority and the zoning of unincorporated areas lying within two miles of the boundaries of such airports as are conferred by Act No. 730 enacted at the 1953 Regular Session of the Legislature of Alabama on municipalities owning or operating airports.

Section 21. DISSOLUTION OF AUTHORITY. At any time when no bonds of the Authority are outstanding, the Authority may be dissolved upon the filing with the Judge of Probate, in the county in which is filed the certificate of incorporation, of an application for dissolution, which shall be subscribed by each of the members of the Authority and sworn to by each member before an officer authorized to take acknowledgments to deeds. Upon the filing of such application for dissolution, the Authority shall cease to exist. Said Probate Judge shall receive and record the application for dissolution in an appropriate book of record in his office. Upon dissolution, all rights, title and interests of the Authority in property shall be vested in the authorizing subdivisions pursuant to the provisions of the certificate of incorporation, or in the absence of such provisions shall be vested in the authorizing subdivisions, share and share alike.

Section 22. PROVISIONS ARE CUMULATIVE. The provisions of this Act are cumulative and shall not be deemed to repeal existing laws, except to the extent such laws are clearly inconsistent with provisions of this Act.

Section 23. SEVERABILITY CLAUSE. In the event any section, sentence, clause or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 24. EFFECTIVE DATE. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Camp	Edwards (Lowndes)	Jones (Monroe)
Albee	Carr	Engel	Little
Avery	Casey	Etheredge	Martin
Bailes	Cates	Faulk	Mashburn
Barnett	Cook	Fields	Meeks
Bassett	Cooper	Glass	Merrill
Bethea (M)	Cornett	Goldthwaite	Moore
Bevill	Crawford	Grouby	Nabors
Blanton	Daniel	Hankins	NeSmith
Bolton	Davis	Harper	Nettles
Bowers	Doggett	Hawkins	Owens
Branyon	Downing	Heflin	Paulk
Brown (Jefferson)	Drake	Hogan	Perry
Burnham	Edington	Ingram	Pierce
Burns	Edwards (Escambia)	Jones (Covington)	Powell

Pruitt	Sessions	Stembridge	Turnham
Rast	Smith	Sullivan	Vacca
Reynolds	Snell	Thomas	Wood
Rogers	Steagall	Turner (Crenshaw)	Young
Scurlock			

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And said bill, H. 42, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 1.

Yeas:

Mr. Speaker	Cook	Hawkins	Paulk
Albea	Cooper	Heflin	Pierce
Avery	Cornett	Hogan	Powell
Bailes	Crawford	Holladay	Pruitt
Baker (DeKalb)	Daniel	Ingram	Rast
Bassett	Davis	Jones (Covington)	Reynolds
Bethea (M)	Doggett	Jones (Monroe)	Scurlock
Bevill	Drake	Little	Sessions
Blanton	Edgington	McCorquodale	Smith
Bolton	Edwards (Escambia)	McDermott	Snell
Bowers	Edwards (Lowndes)	Mashburn	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Faulk	Merrill	Thomas
Burnham	Gilmore	Moore	Turner (Crenshaw)
Burns	Glass	Nabors	Turnham
Camp	Goldthwaite	NeSmith	Vacca
Carr	Grouby	Nettles	Wood
Casey	Hankins	Owens	Young
Cates	Harper		

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Nay:

Mr. Perry —1

H. 176 POSTPONED

On motion of Mr. Thomas, further consideration of the bill, H. 176, was postponed until the next legislative day.

And the bill:

H. 152. (With Substitute). To amend Section 744 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. 510, approved August 15, 1947, which relates to the maximum amount of privilege or license tax which the several municipalities within the State may annually assess and collect for the privilege of operating telephone exchanges and long distance telephone lines within the limits of such municipalities.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 744 of Title 37 of the Code of Alabama (1940), as

amended by Act No. 355, H. 510, approved August 15, 1947, which relates to the maximum amount of privilege or license tax which the several municipalities within the State may annually assess and collect for the privilege of operating telephone exchanges and long distance telephone lines within the limits of such municipalities.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 744 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. 510, approved August 15, 1947, be and the same is hereby further amended so as to read as follows:

"Section 744. Telephone Companies. — The maximum amount of privilege or license tax which the several municipalities within this state may annually assess and collect of person, operating telephone exchanges and long distance telephone lines in this state for the privilege of doing intrastate business within the limits of such municipalities, whether such persons are incorporated under the laws of this state or any other state is fixed as follows: In municipalities having not exceeding five hundred inhabitants, exchange license, thirty dollars, long distance license, sixteen dollars; in municipalities having a population of more than five hundred and not exceeding one thousand, exchange license, sixty dollars, long distance license, sixteen dollars; in municipalities having a population of more than one thousand and not exceeding two thousand, exchange license, one hundred twenty dollars, long distance license, thirty dollars; in municipalities having a population of more than two thousand and not exceeding three thousand, exchange license two hundred and ten dollars, long distance license, fifty-four dollars; in municipalities having a population of more than three thousand and not exceeding four thousand, exchange license three hundred dollars, long distance license, seventy-six dollars; in municipalities having a population of more than four thousand and not exceeding five thousand, exchange license, four hundred and twenty dollars, long distance license, one hundred and six dollars; in municipalities having a population of more than five thousand and not exceeding six thousand, exchange license, five hundred and forty dollars, long distance license, one hundred and thirty-six dollars; in municipalities having a population of more than six thousand and not exceeding seven thousand, exchange license, six hundred and sixty dollars, long distance license, one hundred sixty-six dollars; in municipalities having a population of more than seven thousand, and not exceeding eight thousand, exchange license, seven hundred and eighty dollars, long distance, one hundred and ninety-six dollars; in municipalities having a population of more than eight thousand and not exceeding nine thousand, exchange license, nine hundred dollars, long distance license, two hundred and twenty-six dollars; in municipalities having a population of more than nine thousand and not exceeding ten thousand, exchange license, one thousand and twenty dollars, long distance license, two hundred and fifty-six dollars; in municipalities having a population of more than ten thousand and not exceeding eleven thousand, exchange license eleven hundred and forty dollars, long distance license, two hundred and eighty-six dollars; in municipalities having a population of more than eleven thousand and not exceeding twelve thousand, exchange license, twelve hundred and sixty dollars, long distance license, three hundred and sixteen dollars; in municipalities having a population of more than twelve thousand and not exceeding thirteen thousand, exchange license, thirteen hundred and eighty dollars, long distance license, three hundred and forty-six dollars; in municipalities having a population of more than thirteen thousand and not exceeding fourteen thousand, exchange license, fifteen hundred dollars, long distance license, three hundred and seventy-six dollars; in municipalities having a population of more than fourteen thousand and not exceeding fifteen thousand, exchange license, sixteen hundred dollars, long distance license, four hundred and six dollars; in municipalities having a population of more than fifteen thousand and not exceeding sixteen thousand, exchange license, seventeen hundred and forty dollars, long distance license four hundred and twenty dollars; in municipi-

palties having a population of more than sixteen thousand and not exceeding seventeen thousand, exchange license, eighteen hundred and forty dollars, long distance license, four hundred and sixty-six dollars; in municipalities having a population of more than seventeen thousand and not exceeding eighteen thousand, exchange license, nineteen hundred and eighty dollars, long distance license, four hundred and ninety-six dollars; in municipalities having a population of more than eighteen thousand and not exceeding nineteen thousand, exchange license, two thousand one hundred dollars, long distance license, five hundred and twenty-six dollars; in municipalities having a population of more than nineteen thousand and not exceeding twenty thousand, exchange license, two thousand two hundred and twenty dollars, long distance license, five hundred and fifty-six dollars; in municipalities having a population of more than twenty thousand and less than one hundred and seventy-five thousand, exchange license, two thousand two hundred and twenty dollars for the first twenty thousand inhabitants and one hundred and twenty dollars for each additional one thousand inhabitants or majority fraction thereof, up to one hundred and seventy-five thousand population; long distance license, five hundred and fifty-six dollars for the first twenty thousand inhabitants, and thirty dollars for each additional one thousand inhabitants, or majority fraction thereof, up to one hundred and seventy-five thousand population; in municipalities having a population of one hundred and seventy-five thousand or more, exchange license, twenty-four thousand dollars; long distance license, six thousand dollars. In arriving at the assessment of privilege or license tax which may be assessed and collected under this section, the population of the several cities and towns shall be computed and based on the federal census next preceding the year for which such license tax is assessed, from year to year. Provided that if a municipality should be incorporated subsequent to any federal census the population shown in the charter of incorporation shall determine the amount of license due until the next federal census shall find and declare such population."

Section 2. Any municipal license tax payments in excess of those provided by Act 355, Laws of 1947, which a person operating telephone exchanges and long distance telephone lines in this State may be required to pay as a result of the passage of this Act, shall be credited against the state license or privilege tax next due by such person under the provisions of Section 182 of Title 51 of the Code of Alabama (1940).

Section 3. The several and respective provisions of this Act are severable. If any part or provision thereof shall be declared unconstitutional or otherwise invalid or inapplicable such declaration shall not affect the provisions which remain.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law, but no municipality shall be authorized, by reason of this Act becoming effective, to impose any additional license tax for any period for which a license has already been issued on the effective date of this Act.

And the substitute was adopted.

Yeas 48; Nays 25.

Yeas:

Mr. Speaker	Collins	Drake	Grouby
Bailes	Cook	Edington	Hankins
Baker (DeKalb)	Cooper	Engel	Hogan
Bethea (B)	Crawford	Etheredge	Ingram
Bowers	Daniel	Faulk	Jones (Covington)
Casey	Davis	Gilmore	Jones (Monroe)
Cates	Downing	Goldthwaite	Little

McDermott	Owens	Rogers	Sullivan
Martin	Perry	Sessions	Turnham
Meeks	Pruitt	Smith	Vacca
NeSmith	Rast	Steagall	Wood
Nettles	Reynolds	Stembridge	Young

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Nays:

Messrs.	Burnham	Goodwyn	Pierce
Albea	Camp	Heflin	Powell
Avery	Carr	Locke	Salter
Bassett	Cornett	Moore	Scurlock
Bethea (M)	Edwards (Escambia)	Nabors	Slate
Bevill	Edwards (Lowndes)	Paulk	Snell
Bolton	Glass		

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And said bill, H. 152, as thus amended, was read a third time at length and lost.

Yeas 26; Nays 55.

Yeas:

Mr. Speaker	Davis	Holladay	NeSmith
Bethea (B)	Engel	Ingram	Pruitt
Blanton	Etheredge	Jones (Covington)	Rast
Bowers	Faulk	Martin	Steagall
Casey	Gilmore	Meeks	Sullivan
Collins	Hawkins	Morrow	Vacca
Crawford	Hogan		

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Nays:

Messrs.	Cooper	Harper	Powell
Albea	Cornett	Heflin	Reynolds
Avery	Daniel	Jones (Monroe)	Rogers
Bailes	Doggett	Little	Salter
Barnett	Downing	Locke	Scurlock
Bassett	Drake	McDermott	Sessions
Bethea (M)	Edgington	Mashburn	Slate
Bevill	Edwards (Escambia)	Merritt	Smith
Bolton	Edwards (Lowndes)	Moore	Snell
Branyon	Fields	Nabors	Thomas
Burnham	Glass	Nettles	Turner (Limestone)
Camp	Goldthwaite	Paulk	Turnham
Carr	Goodwyn	Perry	Wood
Cates	Hankins	Pierce	Young

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ADJOURNMENT

On motion of Mr. Turner (Crenshaw) the House adjourned until Tuesday, June 4, 1963, at twelve o'clock, noon.

TENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 4, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. C. H. Hildreth, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Harper	Pierce
Avery	Cooper	Hawkins	Posey
Bailes	Cornett	Heflin	Powell
Baker (DeKalb)	Crawford	Hester	Pruitt
Baker (Madison)	Daniel	Hogan	Rast
Barnett	Davis	Holladay	Reynolds
Bassett	Doggett	Ingram	Rogers
Bethea (B)	Dominick	Jones (Covington)	Salter
Bethea (M)	Downing	Jones (Monroe)	Scurlock
Bevill	Drake	Little	Sessions
Blanton	Edington	Locke	Slate
Bolton	Edwards (Escambia)	McCorquodale	Smith
Boston	Edwards (Lowndes)	McDermott	Snell
Bowers	Engel	Martin	Steagall
Branyon	Etheredge	Mashburn	Stembridge
Brown (Jefferson)	Faulk	Meade	Sullivan
Brown (Tuscaloosa)	Fields	Meeks	Teel
Burnham	Fite	Merrill	Thomas
Burns	Gilmore	Moore	Turner (Crenshaw)
Callahan	Glass	Morrow	Turner (Limestone)
Camp	Goldthwaite	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Carr	Hain	Owens	Young
Casey	Hankins	Paulk	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Turner (Crenshaw) leave of absence was granted to Mr. Cook because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the ninth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the ninth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the ninth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Mr. Camp:

H. J. R. 46. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the two Houses meet in Joint Session at 12:30 P.M., for the purpose of hearing an address by Dr. Edward R. Annis, of Miami, Florida, President-Elect of the American Medical Association.

AND BE IT FURTHER RESOLVED that a Committee of five, three to be named by the Speaker of the House and two to be named by the Presiding Officer of the Senate to escort Dr. Annis to the House Chamber for this address.

On motion of Mr. Camp the rules were suspended and H.J.R 46 was adopted.

And the Speaker appointed as a committee on the part of the House Messrs. Camp, Rogers and Barnett.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Sanding Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time on the Calendar, to wit:

H. 91. (With Amendment). To create the State Employees' Insurance Board and authorize such Board to provide a health insurance plan for employees of the State of Alabama; to define the terms used in this Act; to provide for the contents of such health insurance plan and to define eligibility requirements for participation in such plan; to authorize the Board to execute contracts to provide benefits under such plan; to authorize the inclusion of retiring state employees and the dependents of state employees and retiring state employees in such plan; to provide for the payment of benefits under such plan; to provide for a State Employees' Insurance Fund and for contributions thereto; to provide for the financing of the health insurance plan; to authorize the Board to adopt and promulgate rules and regulations for the administration of such plan; to provide an effective date of this Act and repeal all laws in conflict therewith.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 260. To amend Section 103 of Title 13 of the Code of 1940 as amended.

H. 262. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 391. To provide that all paid firemen in cities or towns with a population of twenty-five thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year; and to provide for payment of double compensation for time worked in excess of 56 hours per average week.

H. 164. To provide a system of mortgage insurance for private housing; creating the Alabama Housing Commission and defining its powers and duties, including the power to insure mortgages and, in the event of any mortgagee becoming entitled to the benefits of the insurance, to issue debentures unconditionally guaranteed by the state as to principal and interest; establishing conditions under which mortgages may be insured and conditions under which mortgagees become entitled to the benefits of the insurance; authorizing the commission to fix the premium charges for the insurance of mortgages; authorizing the commission to sue and be sued in certain civil actions; authorizing the commission to deal with, complete, rent, renovate, modernize, insure or sell for cash or credit any properties conveyed to them; authorizing the commission to exercise other powers necessary to accomplish the purpose of the commission which are not inconsistent with this act; providing for the examination of the commission by the superintendent of banks; and making an appropriation to the commission.

H. 163. Proposing an amendment to the Constitution of Alabama to authorize the legislature to enact laws creating a public corporation to provide a system of mortgage insurance for private housing.

The above bill was read a second time at length as required by the Constitution.

H. 162. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 352. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

H. 380. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Covington County.

The above bill was read a second time at length as required by the Constitution.

H. 381. Relating to counties having populations of not less than 15,500 nor more than 16,300; providing increases in pay for all employees of the county board of education in such counties.

H. 382. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 15,000 nor more than 15,300.

S. 51. To regulate the compensation and allowances of the superintendent of education of Marshall County.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 384. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report and it was read a second time and placed on the Calendar, to-wit:

H. 283. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951, (Acts of Alabama, p. 1192), entitled "An Act to fix the compensation of Court Reporters, and providing for the payment thereof".

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Glass:

H. 409. Relating to counties; authorizing the payment from county funds of fees for services rendered to the county by notaries public who are also county employees.

Local Government.

By Mr. Glass:

H. 410. To amend further Code of Alabama 1940, Title 11, Section 16, prescribing the pay and allowance of jurors on inquisitions of lunacy.

Judiciary.

By Mr. Drake:

H. 411. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act; and to direct the director of labor to retain and pay into the state treasury a per cent of all wage claims collected under this Act.

Business and Labor.

By Mr. Drake:

H. 412. An Act to provide revenue and a source of revenue for the

purpose of paying annuities and benefits to the police officers of the State of Alabama and political subdivisions thereof; To provide for a Board to receive and disburse such funds; To provide for a method of payment for such funds to beneficiaries thereof, and for other purposes.

Local Government.

By Mr. Salter:

H. 413. To regulate the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; to prevent misrepresentations relative thereto and to prohibit the sale of such seeds not in compliance with the requirements of this Act; to require seed dealers and others engaged in the sale of seeds to obtain an annual permit from the Department of Agriculture and Industries and to prescribe the amount of the permit fee; to authorize the State Board of Agriculture and Industries to promulgate rules and regulations for effectuating the purposes of this Act; to prescribe the duties and authority of the Commissioner of Agriculture and Industries relative to administration and enforcement of this Act; to prescribe a penalty for violations of this Act and other administrative and enforcement provisions; to repeal Act No. 560, S. 369, Legislature of 1943, approved July 9, 1943 (Acts of 1943, page 552).

Agriculture.

By Messrs. Blanton, Vacca, Posey, Hawkins, Heflin, Edwards (Escambia), Callahan, Beville, Nettles, Burns, Pierce, Bailes, Moore, Wood, Carr, Bassett, Crawford, Brown (Tuscaloosa), Bethea (M), Hogan, Sessions, Locke, Hannah, Davis, Salter, Hain, Reynolds, Faulk, Scurlock, Campbell (Tuscaloosa), Nabors, Owens, Etheredge, Rast, Fields, Rogers, Steagall, Stembridge, Burnham, Merrill, Perry, Brown (Jefferson), Engel, Doggett, Mashburn, Turner (Limestone), Boston, Slate, Bolton, NeSmith, Glass, Edwards (Lowndes), Edington, Drake, Cates, Paulk, Sullivan, Cooper, Ingram, Snell, Branyon, Meade, Grouby, Hankins, Avery, Morrow, Gilmore, Barnett, Albea, Thomas, Camp, Jones (Covington), McDermott, Holladay, Dominick, Bethea (B), Bowers, Hester, Collins, Meeks and Smith:

H. 414. To amend Act No. 693, H. 658, Regular Session 1947 (General Acts 1947, p. 527), an act providing medical deductions to individual income taxpayers.

Ways and Means.

By Mr. Fite (With Notice and Proof):

H. 415. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Marion County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 415:

STATE OF ALABAMA COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and rendition of judgment in certain courts in Marion County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall apply to and govern all suits, both in law and equity, hereafter filed in the following courts: (1) the Circuit Court of Marion County, Alabama; (2) the Marion County Superior Court of Marion County, Alabama; and (3) any other court of record which may hereafter be established by law in Marion County in lieu of either of said courts, or exercising concurrent jurisdiction, in whole or in part, either at law or in equity, with the Circuit Court of said county. It shall not apply to or affect any case pending in any court on the date of its enactment. It shall not apply to the Probate Court of said county.

Section 2. It shall be proper and permissible to adjudicate and settle in a single suit, in so far as practicable, all issues, whether direct, indirect, remote, contingent, conditional, or collateral, arising out of the same transaction, occurrence, or event, or relating to the same subject matter. For this purpose, the plaintiff may, in addition to indispensable parties or necessary parties, join any of the following persons as defendants:

(a) Every person who will be adversely affected by the judgment, either directly, or indirectly, remotely, contingently, conditionally or collaterally, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit:

(b) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(c) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, and by reason of such direct, indirect, remote, contingent, conditional, or collateral liability, shall be entitled by contract or otherwise, to defend the suit, participate in the defense of the suit, control the proceedings, participate in the control of the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit;

(d) Every person who, by contract or otherwise, shall have the right to defend the suit, participate in the defense of the suit, control the proceedings, hire or designate defense counsel, participate in the employment or selection of defense council, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit.

Section 3. When any person who should or may join as plaintiff refuses to do so, he may be made a party defendant or, in a proper case, an

involuntary plaintiff. In any cross-complaint, cross-bill, cross-petition, cross-suit or cross-action, the cross-plaintiff, cross complainant, or cross-petitioner may name as cross-defendants or cross-respondents any person or persons whom he might properly have named as defendants or respondents in an original complaint, bill, petition, suit, or action if he had been first to file his complaint, bill, petition, suit, or action in the matter.

Section 4. It shall be no objection, either to the pleadings, proceedings, or the rendition of judgment that the different defendants are liable for different amounts or that they are sued for different amounts but judgment shall be rendered against the different defendants according to their respective liabilities.

Section 5. For the purposes of this act, unless the context indicates otherwise, the term "plaintiff" includes cross-plaintiff, complainant, cross-complainant, petitioner, and cross-petitioner; the term "defendant" includes cross-defendant, respondent, and cross-respondent; and the term "suit" includes every type and kind of action, cross-action, and cross-suit, both at law and in equity.

Section 6. Nothing in this act shall be construed to authorize the bringing of any suit in Marion County where it could not be properly brought except for the passage of this act.

Section 7. If any section, sentence, clause, or provision of this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared or held to be invalid or unconstitutional, such declaration or holding shall not affect the validity of such section, sentence, clause, or provision, as to any other application which is not in and of itself invalid or unconstitutional.

Section 8. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. L. Masdon, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County Star, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1963.

S. L. MASDON, JR.,

Sworn to and subscribed before me May 31, 1963.

ROBERT H. THOMAS,
Title Notary Public.
State of Alabama at Large.

By Mr. Fite (With Notice and Proof):

H. 416. Relating to Marion County; regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 416:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Marion County; regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All persons engaged in the business of money broker, or lending money and taking security therefor by notes or mortgages or personal security, in Marion County, shall be subject fully to the general laws of this state relating to interest and usury as prescribed in Code 1940, Title 9, Chapter 6, regardless of the amount of the loan; and no person shall be licensed hereafter under the Alabama Small Loan Act (Act No. 374, H. 102, Regular Session 1959) to engage in the small loan business in Marion County.

Section 2. Whoever violates this Act is guilty of a misdemeanor and upon conviction shall be fined not less than \$100 nor more than \$500 or imprisoned or sentenced to hard labor for not more than six months.

Section 3. All laws or parts of laws which conflict with Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. L. Masdon, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County Star, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appear-

ed in the issues of said paper on May 8, May 15, May 22, and May 29, all in the year 1963.

S. L. MASDON, JR.,

Sworn to and subscribed before me May 31, 1963.

ROBERT H. THOMAS,
Title Notary Public.
State of Alabama at Large.

By Messrs. Rogers, Edington, Hogan and Engel:

H. 417. To amend Act No. 100, H. 94, Second Special Session 1959, entitled "An Act To raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," so as to provide an exemption from such taxes on sales of fuel and supplies for use or consumption on certain ships and towing vessels.

Ways and Means.

By Messrs. Rogers, Morrow, Engel, Fite, Turnham, Hogan, McDermott, Fields, Edington, Downing and Smith:

H. 418. To make an appropriation to the use of the secretary of state to pay the cost of redesigning the great seal of the state in compliance with a directive of the Legislature.

Ways and Means.

By Messrs. Pierce, Nabors, Burnham and Goodwyn:

H. 419. To amend Act No. 422, H. 325, Regular Session 1951, which is known as the "The Alabama Real Estate License Law of 1951," and Act No. 513, Regular Session 1953.

Judiciary.

By Messrs. Pierce, Goodwyn, Little and Goldthwaite:

H. 420. To amend Section 501 of Title 51, of the Code of Alabama (1940) which provides for licenses for credit reporting companies.

Judiciary.

By Messrs. Goodwyn, Brewer, Holladay and Cates:

H. 421. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Judiciary.

By Messrs. Goodwyn, Brewer, Holladay and Cates:

H. 422. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by Banks and Savings and Loan Associations doing business in the State of Alabama amending Section 619 (1) Title 51, Code of Alabama, 1940 as amended.

Judiciary.

By Messrs. Goodwyn, Pierce, Little and Goldthwaite:

H. 423. To amend Section 10, Act Number 250 of the Regular Session of the Legislature of the State of Alabama, 1959.

Local Legislation No. 1.

By Messrs. Goodwyn, Turner (Crenshaw), Perry, Morrow, Slate, Sessions and Brewer:

H. 424. To create in the State Highway Department a legal division, to provide for a chief counsel, assistant counsel and other personnel thereof, and to prescribe the functions and duties of such division and such counsel.

Ways and Means.

By Mr. Goldthwaite:

H. 425. To amend Section 62 and Section 73 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama, 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940." by recognizing that nominees of corporate fiduciaries hold shares of stock for more than one fiduciary account and may vote a part of said holding in one manner and another part in a different manner.

Insurance.

By Mr. Bassett:

H. 426. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Pruitt (With Notice and Proof):

H. 427. Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

Local Legislation No. 1.

Notice and Proof H. 427:

STATE OF ALABAMA
COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue or other like governing body of Sumter County shall provide for the employment of one additional clerk in the office of the tax collector for four months of each fiscal year, as needed by the tax collector, to assist him in the performance of his official duties. The clerk shall be entitled to a salary of \$150 a month payable out of the general fund of the county, upon the certificate of the tax collector stating that such clerk has actually been employed in his office.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

DICK SMITH,

Sworn to and subscribed before me June 1, 1963.

DORIS HARWELL MITCHELL,
Title Notary Public.

By Mr. Pruitt (With Notice and Proof):

H. 428. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Local Legislation No. 1.

Notice and Proof H. 428:

STATE OF ALABAMA
COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be in-

roduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187), as amended, is amended further to read as follows:

"Section 8. COUNTY ENGINEER. The Board of Commissioners shall appoint a county engineer in accordance with Title 12, Section 67 of the 1940 Code. The engineer shall serve at the will and pleasure of the board and shall be paid not less than three thousand dollars (\$3,000) nor more than ten thousand dollars (\$10,000) per year. Subject to general supervision and control by the Board of Commissioners, the engineer shall have charge of the construction and maintenance of all county roads and bridges. The county engineer shall have the power, and it shall be his duty to: (1) employ, supervise, and fix the compensation for such workmen, laborers, and overseers as are necessary to construct, repair, and maintain the roads and bridges of the county; (2) supervise and control the location, placement, use, operation, and disposition of all road-and-bridge materials, supplies, tools, machinery, and equipment; (3) make recommendations concerning the location and extent of road-and-bridge construction and maintenance projects; (4) perform such engineering and surveying services as may be required by the Board of Commissioners; (5) maintain adequate accounting records; (6) perform such other duties as may be necessary in the operation of the county highway system. The county engineer shall utilize the road equipment, materials, and labor force in accordance with the needs of the entire county for road construction and maintenance, without regard to any district boundaries."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dick Smith, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor-Publisher of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

DICK SMITH,

Sworn to and subscribed before me June 1, 1963

DORIS HARWELL MITCHELL,
Title Notary Public.

By Mr. Wood (With Notice and Proof):

H. 429. Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 429:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

Be It Enacted By The Legislature of Alabama:

Section 1. All trucks, pickups, and other like motor vehicles owned by Washington County and used by the road and bridge department in several road districts of the county shall have painted, impressed, or affixed thereto, on each side thereof, in a conspicuous place, a marker in letters and figures at least four inches high, showing that the vehicle is the property of the county and designating the number of the district in which it is to be used and operated. After this Act takes effect it shall be unlawful for any person to operate a vehicle belonging to the county which is required to be marked under this Act if the vehicle is not so marked.

Section 2. Whoever willfully violates this Act is guilty of a misdemeanor and shall be fined not less than \$25 and may be sentenced to hard labor or imprisoned for not more than 30 days, or both.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall take effect 60 days after the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1963.

DALTON JACKSON,

Sworn to and subscribed before me June 1, 1963.

ANNETTE R. BAXTER,
Title Notary Public.

By Mr. Wood (With Notice and Proof):

H. 430. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

Local Legislation No. 1.

Notice and Proof H. 430:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After his Act takes effect, justices of the peace and notaries ex officio justice of the peace elected or appointed for or in any precinct of Washington County shall be divested and deprived of jurisdiction in all criminal and quasi-criminal cases, and shall have no power or authority to exercise any jurisdiction whatsoever in a criminal or quasi-criminal case, or to take complaints of public offenses committed within the county, or to issue warrants of arrest; and no such justice of the peace or notary ex-officio justice of the peace shall have any jurisdiction over any garnishment or attachment proceeding in any civil case.

Section 2. This Act shall not apply to nor affect any case pending in any court on the effective date hereof.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective on the first Monday in January, 1964.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

DALTON JACKSON,

Sworn to and subscribed before me June 1, 1963.

ANNETTE R. BAXTER,
Title Notary Public.

By Messrs. McCorquodale, Branyon, McDermott, Engel, and Hogan:

H. 431. To provide for a management study of public school administration and making an appropriation therefor.

Ways and Means.

By Messrs. McCorquodale, Branyon, McDermott, Engel and Hogan:

H. 432. To provide for a survey of the organization and operations of agencies, departments, and offices of the administrative branch of state government and appropriating funds therefor.

Ways and Means.

By Mr. Beville:

H. 433. To amend Section 154, Title 41, Code of Alabama 1940, as last amended.

Ways and Means.

By Mr. Drake:

H. 434. To amend Code of Alabama 1940, Title 17, Sections 21 and 23, relating to the appointment of county boards of registrars.

State Administration.

By Mr. Wood (With Notice and Proof):

H. 435. To create a court of general sessions for Washington County in lieu of the inferior court created by Act No. 22, H. 201, Regular Session 1949, abolishing the inferior court, and conferring upon the court of general sessions jurisdiction in certain civil cases at law.

Local Legislation No. 1.

Notice and Proof H. 435:

LEGAL NOTICE

NOTICE OF INTENTION TO APPLY FOR ENACTMENT OF A LOCAL LAW AFFECTING WASHINGTON COUNTY

Notice is hereby given in accordance with the Constitution of Alabama that application will be made to the Legislature for enactment of a local law substantially as follows:

To provide for a court of general sessions in Washington County in lieu of the Inferior Court; to abolish the Inferior Court; to confer on the new court jurisdiction in civil cases where the amount in controversy does not exceed \$1,000; to provide for a judge, clerk, and bailiff for the court of general sessions, and fix and provide for payment of their compensation from the county treasury; to provide for regular and special sessions of the court; to provide for appeals from judgments of the court to the circuit court; to provide for the duties, qualifications, tenure, and authority of the judge and other officers of the court; to require the sheriff of Washington County to execute the processes of the court; to provide that costs collected for officers of the court other than the sheriff shall be paid into the county

treasury; to provide rules of practice and procedures in the court; and to provide for a transfer of jurisdiction upon the abolition of the inferior court.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WASHINGTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Dalton Jackson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Call-News Dispatch, a newspaper of general circulation published in Washington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

DALTON JACKSON,

Sworn to and subscribed before me June 1, 1963.

ANNETTE R. BAXTER,
Title Notary Public.

REPORT OF THE JUDICIAL CONFERENCE OF ALABAMA

Mr. Bevill, Member of the Judicial Conference of Alabama, submitted a report to the House of Representatives of the Judicial Conference for the State of Alabama, which was created pursuant to Act No. 74, Acts of Alabama 1961, Special Session.

JUDICIAL CONFERENCE OF ALABAMA REPORT

Received, read and ordered filed.

1963 REPORT OF THE LEGISLATIVE INTERIM COMMITTEE ON MENTAL HEALTH AND MENTAL RETARDATION

Pursuant to the provisions of Act No. 136, approved July 16, 1962, Special Session of the Legislature of 1962, Mr. Camp, Chairman of the Interim Legislative Committee on Mental Health and Mental Retardation, submitted a report to the House of Representatives of its findings and recommendations.

LEGISLATIVE INTERIM COMMITTEE ON MENTAL HEALTH AND MENTAL RETARDATION REPORT 1963

Received, read and ordered filed.

JOINT SESSION

The hour of 12:30 o'clock P.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with Joint Resolution heretofore adopted, for the purpose of hearing an address by Dr. Edward R. Annis of Miami, Florida, President-elect of the American Medical Association.

The joint session was called to order by Hon. James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

Dr. Annis was escorted to the Chair and delivered his message to the Legislature.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

MOTION IN WRITING

Mr. McDermott offered the following Motion in Writing:

Mr. Speaker:

Having voted with the prevailing side in the vote by which the Substitute for H.B. 152 was defeated on the preceding legislative day, I move that the vote by which said bill was defeated be reconsidered by the House.

And the Motion in Writing offered by Mr. McDermott was adopted.

Yeas 55; Nays 16.

Yeas:

Mr. Speaker	Crawford	Heflin	Perry
Bailes	Davis	Hogan	Pruitt
Baker (DeKalb)	Doggett	Holladay	Reynolds
Barnett	Downing	Ingram	Rogers
Bethea (B)	Edington	Jones (Covington)	Sessions
Bethea (M)	Edwards (Escambia)	Locke	Smith
Blanton	Engel	McDermott	Steagall
Bowers	Etheredge	Martin	Stembridge
Branyon	Faulk	Meeks	Sullivan
Brown (Jefferson)	Fields	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Gilmore	Nabors	Vacca
Cates	Grouby	NeSmith	Wood
Collins	Hain	Owens	Young
Cooper	Hankins	Paulk	

—55

Nays:

Messrs.	Burns	Hannah	Scurlock
Albea	Callahan	Jones (Monroe)	Slate
Bevill	Daniel	Mashburn	Snell
Bolton	Goodwyn	Merrill	Turnham
Boston			

—16

H. 152 POSTPONED

On motion of Mr. McDermott, the bill, H. 152, was placed at the end of the Regular Calendar for the tenth legislative day.

RESOLUTION

The following resolution was introduced:

By Mr. Daniel:

H. R. 47. Whereas when our great nation was formed, the thirteen free and independent states did in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessing of liberty to themselves and their posterity, they did ordain and establish the Constitution for the United States of America, and

Whereas our founding fathers did in so drafting our constitution, did draft the greatest legal document ever known to free men, and this great document did provide a constitutional frame work for a great Republic, instituting a system of checks and balances on the Federal Government and its departments, and

Whereas in order to assure individual freedom and the pursuance of happiness, each state was guaranteed its Republican form of government, and in order to assure the freedom of the individuals therein and against the encroachment of a giant central government from disparing the rights of the state and individuals thereof, the Bill of Rights were specifically added to the Constitution as a safeguard against an encroaching federal government. Among other safeguards, the Bill of Rights specifically provides that "The enumerated in the Constitution, of certain rights, shall not be construed to deny our disparage others retained by the people." And further that "The powers not delegated to the United States by the Constitution nor prohibited by it to the states are reserved to the states respectively, or to the people."

Now whereas, four score years after our noble founders created this constitutional master piece, and gave birth to a great nation, differences of opinion became so strong among our fellow American citizens that the tragic war between the states occurred. A result of this war between the states occurred. A result of this war between the American Brothers, extreme sectional bitterness and emotional conflict prevailed. The Federal government found itself without Constitutional authority to military occupy the Southern States and to justify their harsh rule of Reconstruction days. Now in order to so legally justify themselves in their actions, an incomplete and partial congress, without the representation of the Southern States, did improperly propose an amendment to the Constitution which is known as the Fourteenth amendment, and which has been used to invalidate sections of the Bill of Rights and thus detract from the great document our founding fathers gave us. Now all Union States did not ratify this alleged amendment and the States of New Jersey and Ohio withdrew their ratification to this alleged amendment before the said proclamation of ratification was made. Should only two States out of the Ten Southern ratifying states ascertain that their particular states did not legally ratify his alleged amendment then there is no Constitutional basis to keep the alleged Fourteenth amendment in the Constitution.

Now whereas this alleged amendment was supposedly ratified by Alabama in 1868 when the State of Alabama and the legislature thereof was under absolute military control of the Federal Government and there is serious doubt as to whether the State of Alabama did properly and legally ratify this amendment, and

Whereas the United States Supreme Court has never ruled directly as whether or not the Fourteenth amendment was properly proposed by Congress or properly ratified by the States, and that this alleged amendment may be null and void, and

Whereas should it be ascertained that the required number of States did not ratify this alleged Fourteenth amendment then this would have profound effect among many present day judicial decisions of the United States

Supreme Court, and such a finding would have far reaching effect on curtailing the powers of the Central government.

RESOLVED, Now whereas important constitutional questions are involved, that the House of Representatives of the State of Alabama does hereby request the Supreme Court of the State of Alabama to determine and legally ascertain in an Opinion of the Justices as to whether or not the State of Alabama did legally ratify and adopt the alleged Fourteenth Amendment.

On motion of Mr. Daniel the rules were suspended and H.R. 47 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 41. Mourning the death of John H. Garrett.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 46. Relative to a Joint Session of the two Houses to hear an address by Dr. Edward R. Annis.

And the President and Presiding Officer of the Senate appointed as Committee on part of the Senate Messrs. Shelton and Cooper.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 43. Congratulating Miss Jane Eden on her election as president of Alabama State Association of Future Homemakers of America.

Also:

H. J. R. 45. Authorizing a plaque to be presented to Mr. Charles M. Cooper, Director of Legislative Reference Service, by the Legislature of Alabama.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 88. To provide for the relief of Mrs. Marilyn Stewart Drake; to authorize and direct the governing body of the City of Huntsville in Madison County to pay to said Mrs. Drake the sum of five thousand dollars (\$5,000) to compensate her for the death of her husband who was killed in the course of his employment by the city.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 38. Relative to expressing appreciation to the Association of Retail Furniture Dealers for their hospitality.

Also:

H. J. R. 39. Relative to expressing appreciation to the officers and members of the Mobile area Chamber of Commerce and the Mobile County Legislative delegation for their hospitality.

Also:

H. J. R. 40. Relative to commending the Civitan Foundation for Mentally Retarded and Handicapped Children.

Also:

H. J. R. 42. Relative to commending the Cherokee Rescue Squad and the Etowah and Anniston Emergency and Rescue Squads.

Also:

H. J. R. 36. Relative to expressing confidence in Governor George C. Wallace.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Morrow the House recessed until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 3:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

BILLS ON THIRD READING

H. 354. To amend further Section 1 of Act No. 550, S. 433, Regular Session 1947, which relates to the appointment, qualifications, tenure, and compensation of the superintendent of education of Geneva County.

Was taken up.

Mr. Faulk offered the following amendment to the bill, H. 354:

Amendment to H.B. 354

In Section 1, third paragraph, strike out the words "The superintendent of education shall be entitled to a fixed salary per annum" and insert "The superintendent of education shall be entitled to a salary not exceeding \$10,-000 per annum"

And the amendment was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Daniel	Hawkins	Powell
Avery	Davis	Heflin	Pruitt
Bailes	Doggett	Hester	Reynolds
Barnett	Dominick	Hogan	Rogers
Bassett	Downing	Holladay	Salter
Bethea (M)	Drake	Ingram	Scurlock
Blanton	Edington	Jones (Covington)	Sessions
Bolton	Edwards (Escambia)	Jones (Monroe)	Slate
Boston	Edwards (Lowndes)	Locke	Smith
Bowers	Etheredge	McDermott	Snell
Branyon	Faulk	Martin	Steagall
Brown (Jefferson)	Fite	Meeks	Stembridge
Brown (Tuscaloosa)	Gilmore	Merrill	Sullivan
Burnham	Glass	Nabors	Teel
Burns	Goodwyn	NeSmith	Thomas
Carr	Grouby	Nettles	Turner (Crenshaw)
Casey	Hain	Paulk	Turner (Limestone)
Cates	Hannah	Pierce	Vacca
Cooper	Harper	Posey	Wood
Crawford			

And said bill, H. 354, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Davis	Hawkins	Posey
Albea	Doggett	Heflin	Powell
Avery	Dominick	Hester	Pruitt
Bailes	Downing	Hogan	Reynolds
Barnett	Drake	Holladay	Rogers
Bassett	Edington	Ingram	Salter
Bethea (M)	Edwards (Escambia)	Jones (Covington)	Scurlock
Bevill	Edwards (Lowndes)	Locke	Sessions
Blanton	Engel	McDermott	Slate
Bolton	Etheredge	Martin	Smith
Boston	Faulk	Meade	Snell
Bowers	Fields	Meeks	Steagall
Branyon	Fite	Merrill	Sullivan
Brown (Tuscaloosa)	Gilmore	Moore	Teel
Burnham	Glass	Morrow	Thomas
Burns	Goodwyn	Nabors	Turner (Crenshaw)
Casey	Grouby	NeSmith	Turner (Limestone)
Cates	Hain	Nettles	Vacca
Cooper	Hannah	Paulk	Wood
Crawford	Harper	Pierce	Young
Daniel			

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And the bill:

H. 356. Relating to counties having populations of not less than 60,500 nor more than 65,400, regulating the practice of barbering; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; regulating barber shops, barber schools and instructors; providing for the appointment of a County Board of Barber Commissioners, and defining the duties of said Board; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Burns	Edwards (Lowndes)	Hogan
Albea	Campbell (Tuscaloosa)	Engel	Holladay
Avery	Casey	Etheredge	Ingram
Bailes	Cates	Faulk	Jones (Covington)
Barnett	Cooper	Fields	Jones (Monroe)
Bassett	Cornett	Fite	Locke
Bethea (M)	Crawford	Gilmore	McDermott
Bevill	Daniel	Glass	Martin
Blanton	Davis	Goodwyn	Meade
Bolton	Doggett	Grouby	Meeks
Boston	Dominick	Hain	Merrill
Bowers	Downing	Hannah	Moore
Branyon	Drake	Harper	Morrow
Brown (Tuscaloosa)	Edington	Heflin	Nabors
Burnham	Edwards (Escambia)	Hester	NeSmith

Nettles	Salter	Steagall	Turner (Crenshaw)
Paulk	Scurlock	Stembridge	Turner (Limestone)
Posey	Sessions	Sullivan	Vacca
Powell	Slate	Teel	Wood
Reynolds	Smith	Thomas	Young
Rogers	Snell		

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And the bill:

H. 372. Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Daniel	Heflin	Powell
Albea	Davis	Hester	Pruitt
Avery	Doggett	Hogan	Reynolds
Bailes	Dominick	Holladay	Rogers
Barnett	Downing	Ingram	Salter
Bassett	Drake	Jones (Covington)	Scurlock
Betha (M)	Edington	Jones (Monroe)	Sessions
Bevill	Edwards (Escambia)	Locke	Slate
Blanton	Edwards (Lowndes)	McDermott	Smith
Bolton	Engel	Martin	Snell
Boston	Etheredge	Meade	Steagall
Bowers	Faulk	Meeks	Stembridge
Branyon	Fields	Merrill	Sullivan
Brown (Tuscaloosa)	Fite	Moore	Teel
Burnham	Gilmore	Morrow	Thomas
Burns	Glass	Nabors	Turner (Crenshaw)
Casey	Goodwyn	NeSmith	Turner (Limestone)
Cates	Grouby	Nettles	Vacca
Cooper	Hain	Paulk	Wood
Cornett	Hannah	Pierce	Young
Crawford	Harper	Posey	

—83

And the bill:

H. 373. For the relief of Grady Nesmith; authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Bevill	Brown (Tuscaloosa)	Cornett
Albea	Blanton	Burnham	Crawford
Avery	Bolton	Burns	Daniel
Bailes	Boston	Campbell (Tuscaloosa)	Davis
Barnett	Bowers	Casey	Doggett
Bassett	Branyon	Cates	Downing
Betha (M)	Brown (Jefferson)	Cooper	Drake

Edington	Hannah	Merrill	Scurlock
Edwards (Escambia)	Harper	Moore	Sessions
Edwards (Lowndes)	Heflin	Morrow	Slate
Engel	Hester	Nabors	Smith
Etheredge	Hogan	Nettles	Steagall
Faulk	Ingram	Paulk	Stembridge
Fields	Jones (Covington)	Pierce	Sullivan
Fite	Jones (Monroe)	Posey	Teel
Gilmore	Locke	Powell	Turner (Crenshaw)
Glass	McDermott	Pruitt	Turner (Limestone)
Goodwyn	Martin	Reynolds	Vacca
Grouby	Meade	Rogers	Wood
Hain	Meeks	Salter	Young

—80

And the bill:

H. 374. For relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crawford	Harper	Posey
Albea	Daniel	Heflin	Powell
Avery	Davis	Hester	Pruitt
Bailes	Doggett	Hogan	Reynolds
Barnett	Downing	Holladay	Rogers
Bassett	Drake	Ingram	Salter
Bethea (M)	Edington	Jones (Covington)	Scurlock
Bevill	Edwards (Escambia)	Locke	Sessions
Blanton	Edwards (Lowndes)	McDermott	Slate
Bolton	Engel	Martin	Smith
Boston	Etheredge	Meade	Snell
Bowers	Faulk	Meeks	Steagall
Branyon	Fields	Merrill	Stembridge
Brown (Jefferson)	Fite	Moore	Sullivan
Burnham	Gilmore	Morrow	Teel
Burns	Glass	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Limestone)
Casey	Grouby	Nettles	Vacca
Cates	Hain	Paulk	Wood
Cooper	Hannah	Pierce	Young
Cornett			

—81

And the bill:

H. 375. To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hawkins	Posey
Albea	Daniel	Heflin	Powell
Avery	Davis	Hester	Pruitt
Bailes	Doggett	Hogan	Reynolds
Barnett	Downing	Ingram	Rogers
Bassett	Drake	Jones (Covington)	Salter
Bethea (M)	Edington	Jones (Monroe)	Scurlock
Bevill	Edwards (Escambia)	Little	Sessions
Blanton	Edwards (Lowndes)	Locke	Slate
Bolton	Engel	McDermott	Smith
Boston	Etheredge	Martin	Snell
Bowers	Faulk	Mashburn	Steagall
Branyon	Fields	Meade	Stembridge
Brown (Jefferson)	Fite	Meeks	Sullivan
Brown (Tuscaloosa)	Gilmore	Merrill	Teel
Burnham	Glass	Morrow	Turner (Crenshaw)
Burns	Goodwyn	Nabors	Turner (Limestone)
Casey	Grouby	NeSmith	Vacca
Cates	Hain	Nettles	Wood
Cooper	Hannah	Paulk	Young
Cornett	Harper	Pierce	

—83

And the bill:

H. 376. Relating to Washington County, regulating further the insuring of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; *Nays* 0.

Yeas:

Mr. Speaker	Davis	Heflin	Pierce
Albea	Doggett	Hester	Posey
Avery	Dominick	Hogan	Powell
Bailes	Downing	Holladay	Pruitt
Barnet	Drake	Ingram	Reynolds
Bassett	Edington	Jones (Covington)	Salter
Bethea (M)	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bevill	Edwards (Lowndes)	Little	Sessions
Blanton	Engel	Locke	Slate
Bolton	Etheredge	McDermott	Smith
Boston	Faulk	Martin	Snell
Bowers	Fields	Mashburn	Steagall
Branyon	Fite	Meade	Stembridge
Brown (Jefferson)	Gilmore	Meeks	Sullivan
Burnham	Glass	Merrill	Teel
Burns	Goodwyn	Moore	Turner (Crenshaw)
Casey	Grouby	Morrow	Turner (Limestone)
Cooper	Hain	Nabors	Turnham
Cornett	Hannah	NeSmith	Vacca
Crawford	Harper	Nettles	Wood
Daniel	Hawkins	Paulk	Young

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And the bill:

H. 367. To amend Act No. 161, adopted by the Alabama State Legis-

lature on the 2nd day of August, 1957, which such Act is in substance as follows: "To create and provide for the Water Works and Sewer Board of the City of Prichard (hereinafter referred to as the Board) a special fund to be known as, 'The Water Works and Sewer Board Employees' Pension and Relief Fund'; to provide for the setting apart of such funds; to create a pension and relief system applicable to all permanent employees of such Board; to provide for the creation of such fund and for appropriation from the Board to make up any deficit therein; to provide how such funds shall be raised, acquired or gathered; to provide for the placement and handling of such funds; to provide for the hearing and determination of applications for pensions and relief hereunder, and for the drawing of warrants against said fund; to provide against such funds being subject to garnishment or levy or sale under execution or otherwise; to provide payment for disabled employees of the various departments of such Board during the term of such disability, and for the retirement of such members or employees on said pension, whether by reason of term of office or disability; to provide for the appropriation for funeral expenses upon death of any employee of the Board; to provide for the examination by proper authorities of such members or employees in case of sickness or disability; to provide for gifts, donations, legacies to such fund and for the appointment of Trustees and for the creation of a Board of Pensions for all purposes in connection herewith. To provide penalties for the violation of the provisions of this act; and provide an effective date for this act; and to provide that the invalidity or unconstitutionality of any acts, provisions or other portion of this act shall not affect the validity of any other section, provision or other portion hereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Crawford	Heflin	Powell
Albea	Daniel	Hogan	Pruitt
Avery	Davis	Holladay	Rast
Bailes	Doggett	Ingram	Reynolds
Barnett	Downing	Jones (Covington)	Rogers
Bassett	Drake	Jones (Monroe)	Salter
Bethea (B)	Edington	McDermott	Scurlock
Bethea (M)	Edwards (Escambia)	Martin	Sessions
Bevill	Edwards (Lowndes)	Mashburn	Slate
Blanton	Engel	Meade	Smith
Bolton	Faulk	Meeks	Snell
Boston	Fields	Merrill	Steagall
Bowers	Fite	Moore	Stembridge
Branyon	Gilmore	Morrow	Sullivan
Brown (Jefferson)	Glass	Nabors	Teel
Brown (Tuscaloosa)	Goodwyn	NeSmith	Turner (Greenshaw)
Burnham	Grouby	Nettles	Turner (Limestone)
Burns	Hain	Paulk	Turnham
Carr	Hannah	Perry	Vacca
Casey	Harper	Pierce	Wood
Cooper	Hawkins	Posey	Young
Cornett			

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And the bill:

H. 176. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having

a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof" so as to make said Act applicable to municipalities having a population of not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was again taken up.

On motion of Mr. Thomas, the motion of Mr. Campbell (Tuscaloosa) to recommit the bill, H. 176, was laid upon the table.

Yeas 48; Nays 35.

Yeas:

Mr. Speaker	Cates	Hain	Nabors
Albea	Cooper	Hannah	NeSmith
Bailes	Cornett	Harper	Paulk
Bevill	Daniel	Hester	Posey
Blanton	Davis	Ingram	Pruitt
Boston	Drake	Jones (Covington)	Scurlock
Brown (Jefferson)	Engel	Jones (Monroe)	Smith
Burnham	Fite	McCorquodale	Steagall
Burns	Gilmore	McDermott	Stembridge
Callahan	Glass	Meade	Thomas
Carr	Goodwyn	Merrill	Turner (Crenshaw)
Casey	Grouby	Moore	Young

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Nays:

Messrs.	Doggett	Heflin	Powell
Baker (DeKalb)	Downing	Hogan	Rast
Barnett	Edington	Holladay	Salter
Bethea (B)	Edwards (Escambia)	Little	Sessions
Bethea (M)	Edwards (Lowndes)	Mashburn	Slate
Bolton	Etheredge	Morrow	Sullivan
Bowers	Faulk	Nettles	Teel
Brown (Tuscaloosa)	Fields	Perry	Turner (Limestone)
Crawford	Goldthwaite	Pierce	Vacca

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And on motion of Mr. Nettles, further consideration of the bill, H. 176, was postponed until the next legislative day without losing its place on the Calendar.

RESOLUTION

The following resolution was introduced:

By Mr. Nabors:

H. J. R. 48. WHEREAS, Bob Farrell, a columnist and executive vice-president of "The Brooklyn Eagle", a daily newspaper published in Brooklyn, New York, in his column on May 3, 1963, exhibited a glaring example of the loathing and hate-mongering of the Northern press for the South by including a vicious parade of lies about the citizens and institutions of the cities of Gadsden and Dothan, Alabama.

WHEREAS, the column contains incontrovertible evidence within itself of the untruth of its assertions and charges, an example of which is as follows; "I didn't know William L. Moore but I do know Gasden, Ala., as I do know parts of the deep south, I was stationed there in 1942 and 1943. I know that the town of Gasden is bigoted, backward and very corrupt one. The army camp that was feeding me was Camp Rucker. It was just outside of Gasden, about 10 miles away"; and

WHEREAS, it appears that if indeed Farrell was ever stationed in Alabama it was at Camp Rucker, near Dothan, Alabama, more than 200 miles from Gadsden, Alabama; and

WHEREAS, the writing and publishing of columns containing outrageous and obvious lies represent the lowest form of journalism, and such purveyors of hate and malice against a city, a state or a region can only serve the interests of the enemies of our nation; and

WHEREAS, this maligning of two of the finest cities in the State of Alabama was brought to the attention of the people of this state in the June 2, 1963 issue of "The Gadsden Times"; and

NOW THEREFORE BE IT RESOLVED that the Legislature of the State of Alabama, the House and Senate concurring, that "The Brooklyn Eagle" be informed of the malicious lies published in a column of its May 3, 1963 issue of its newspaper by its Executive Vice-President, Bob Farrell, and that it be and hereby is called upon to retract such lies in a prominent place in an immediate future issue of its newspaper; and

Be it further resolved that the Legislature of the State of Alabama calls upon the publishers of Northern newspapers and magazines to fairly and honestly report news and events without rancor or malice as is required in keeping with the best tradition of a free and uncontrolled press; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the Mayor of the City of Gadsden, the Mayor of the City of Dothan, the publisher of "The Gadsden Times" and the publisher of "The Brooklyn Eagle."

On motion of Mr. Nabors the rules were suspended and H.J.R. 48 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Owens requested unanimous consent to remove his name as a co-author of the bills, H. 253 and H. 254, and it was so granted.

Mr. Turnham requested unanimous consent to remove his name as a co-author of the bills, H. 253 and H. 254, and it was so granted.

Mr. Bassett requested unanimous consent to remove his name as a co-author of the bills, H. 253 and H. 254, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 154. To empower the governing body of every city and town in the State to declare certain records of the city or town, or municipal board of the city or town, to be obsolete and to authorize the destruction of such records; defining "public record", "municipal board", "governing body", "permanent record", and other terms and phrases for the purposes of this Act; prescribing the procedure to be followed by the governing body of the city or town in the exercise of this power; relieving the custodian of records destroyed pursuant to this authority from further responsibility for the keeping or saving of such records; repealing all laws in conflict with the provisions of this Act to the extent of such conflict; and providing for the severability of the provisions of this Act.

Was taken up.

On motion of Mr. Hester, further consideration of the bill, H. 154, was postponed until the twelfth legislative day.

And the bill:

H. 155. To amend Section 3 of Act Number 542 of the Regular Session of the Legislature of 1943 (Title 36, Section 110, Code of Alabama 1940, recompiled 1958 edition) relating to fees charged at municipal motor vehicle testing stations.

Was taken up.

The motion of Mr. Crawford to lay on the table the motion of Mr. Powell to postpone further consideration of the bill, H. 155, until the next legislative day, was lost.

Yeas 34; Nays 41.

Yeas:

Mr. Speaker	Edwards (Escambia)	Little	Perry
Baker (DeKalb)	Engel	Locke	Posey
Blanton	Etheredge	McCorquodale	Pruitt
Boston	Goodwyn	McDermott	Steagall
Brown (Jefferson)	Hain	Martin	Turner (Crenshaw)
Carr	Hannah	Nabors	Turner (Limestone)
Crawford	Hester	NeSmith	Turnham
Daniel	Hogan	Paulk	Young
Davis	Holladay		

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Nays:

Messrs.	Bevill	Casey	Edwards (Lowndes)
Albea	Bolton	Cates	Faulk
Avery	Branyon	Cooper	Fields
Bailes	Burnham	Cornett	Fite
Barnett	Burns	Doggett	Goldthwaite
Bassett	Callahan	Downing	Grouby
Bethea (B)	Camp	Edgington	Harper

Heflin	Meeks	Powell	Smith
Jones (Covington)	Merrill	Salter	Sullivan
Jones (Monroe)	Moore	Sessions	Wood
Mashburn	Nettles		

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The question was then on the motion of Mr. Powell to postpone further consideration of the bill, H. 155, until the next legislative day, and said motion was adopted.

Yeas 57; Nays 22.

Yeas:

Mr. Speaker	Callahan	Glass	NeSmith
Albea	Camp	Goodwyn	Nettles
Avery	Carr	Grouby	Powell
Bailes	Casey	Hannah	Pruitt
Baker (DeKalb)	Cates	Harper	Reynolds
Barnett	Cooper	Hawkins	Rogers
Bethea (B)	Cornett	Heflin	Salter
Bethea (M)	Daniel	Jones (Covington)	Scurlock
Bevill	Davis	Jones (Monroe)	Smith
Bolton	Doggett	McCorquodale	Snell
Boston	Edwards (Escambia)	Mashburn	Sullivan
Branyon	Edwards (Lowndes)	Meeks	Turner (Limestone)
Brown (Jefferson)	Etheredge	Merrill	Vacca
Burnham	Fauk	Moore	Wood
Burns			

—57

Nays:

Messrs.	Fields	Locke	Sessions
Bassett	Fite	McDermott	Steagall
Blanton	Hain	Martin	Tael
Crawford	Hester	Nabors	Turnham
Downing	Hogan	Paulk	Young
Edington	Holladay	Posey	

—22

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 4:20 P.M. On June 4, 1963

H. J. R. 38

H. J. R. 39

H. J. R. 40

H. J. R. 42

H. J. R. 36

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Smith the House adjourned until Friday, June 7, 1963, at ten o'clock A.M.

Yeas 50; Nays 34.

Yeas:

Messrs.	Burns	Hain	Nettles
Albea	Callahan	Harper	Powell
Avery	Camp	Hawkins	Reynolds
Bailes	Casey	Hester	Salter
Barnett	Crawford	Jones (Monroe)	Scurlock
Bassett	Daniel	Little	Sessions
Bethea (B)	Downing	Locke	Smith
Bethea (M)	Edwards (Escambia)	Mashburn	Stembridge
Blanton	Edwards (Lowndes)	Meade	Teel
Bolton	Etheredge	Merrill	Vacca
Branyon	Faulk	Morrow	Wood
Brown (Jefferson)	Fite	Nabors	Young
Burnham	Glass	NeSmith	

—50

Nays:

Mr. Speaker	Dominick	Holladay	Perry
Baker (DeKalb)	Edington	Jones (Covington)	Pierce
Bevill	Engel	McCorquodale	Rogers
Bowers	Fields	McDermott	Snell
Campbell (Tuscaloosa)	Goodwyn	Martin	Steagall
Carr	Grouby	Meeks	Sullivan
Cates	Hannah	Moore	Turner (Limestone)
Cooper	Heflin	Paulk	Turnham
Davis	Hogan		

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ELEVENTH DAY

House of Representatives
Montgomery, Alabama
Wednesday, June 5, 1963

The House did not meet today.

TWELFTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 7, 1963

The House met pursuant to adjournment.

PRAYER

The Reverend Hoyt Winslett, Jr., Curate, All Saints Episcopal Church, Mobile, Alabama, opened the session with the following prayer:

Almighty God, who alone art our supreme Lawgiver and our just and merciful Judge, we beseech Thee to bless the people of the United States, and the representatives to whom they have entrusted the authority of government, both in this state and throughout the nation. Grant to us a deep understanding of the responsibilities which come with our freedom, and help us to know that our freedom can be perfect only if it is used to Thy glory and to the welfare of all men that Thou hast created.

Help us to know and to do what is right rather than what is popular; what is just, rather than what is expedient: that in all things we may glorify Thy holy name, our King and our God.

Amen

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Harper	Perry
Albee	Collins	Hawkins	Fierce
Avery	Cooper	Heflin	Posey
Bailes	Cornett	Hester	Powell
Baker (DeKalb)	Crawford	Hogan	Pruitt
Baker (Madison)	Daniel	Holladay	Rast
Barnett	Davis	Ingram	Reynolds
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (B)	Dominick	Jones (Monroe)	Salter
Bethea (M)	Downing	Little	Scurlock
Bevill	Edington	Locke	Sessions
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Smith
Boston	Engel	Martin	Snell
Bowers	Etheredge	Mashburn	Steagall
Branyon	Faulk	Meade	Stembridge
Brown (Jefferson)	Fields	Meeks	Sullivan
Brown (Tuscaloosa)	Gilmore	Merrill	Teel
Burnham	Glass	Moore	Thomas
Burns	Goldthwaite	Morrow	Turner (Crenshaw)
Camp	Goodwyn	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Carr	Hankins	Owens	Wood
Casey	Hannah	Paulk	Young

—100

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Grouby leave of absence was granted to Mr. Drake.

On motion of Mr. Turner (Crenshaw) leave of absence was granted to Mr. Cook because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the tenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the tenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the tenth legislative day was approved.

BILLS ON SECOND READING

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 424. To create in the State Highway Department a legal division, to provide for a chief counsel, assistant counsel and other personnel thereof, and to prescribe the functions and duties of such division and such counsel.

H. 414. To amend Act No. 693, H. 658, Regular Session 1947 (General Acts 1947, p. 527), an act providing medical deductions to individual income taxpayers.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 21. (With Amendment). To prescribe the allowance for depletion of iron ore mines for state income tax purposes; repealing conflicting laws.

H. 122. (With Amendment). To establish the State Board of Health as the state radiation control agency for regulating, licensing and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation; to authorize the agency to promulgate rules and regulations and prescribe registration, license, and inspection regulations to regulate such materials, machines and devices; to authorize such agency to cooperate and enter into agreement with other agencies of this State, the Federal Government, interstate and state agencies, and groups concerned with control of such materials, machines and devices; to empower the agency to accept and administer loans, grants, or other funds in furtherance of its functions, and to conduct training or research relative to control of sources of ionizing radiation; to provide for the appointment of a Radiation Advisory Board to review and evaluate policies and programs relative to ionizing radiation and to advise the said agency on any matter coming before said agency; to authorize the Governor to enter into certain agreements with the Federal Government; to provide an opportunity for hearings and judicial review by persons affected by agency orders, rules, or actions; to provide for enforcement of this Act; to prohibit certain acts relative to any source of ionizing radiation; to prescribe penalties for violation of this Act; to repeal conflicting laws; to provide for the effective date of this

Act; and to provide an appropriation for carrying out the purposes of this Act.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 188. Declaring the Intern and Resident Training Program of Mobile General Hospital, Mobile County, to be an integral part of the overall State educational program, and to make appropriations for such school.

H. 187. Declaring the School of Nursing of Mobile General Hospital, Mobile County, to be an integral part of the overall state educational program, and to make appropriations for such school.

H. 418. To make an appropriation to the use of the secretary of state to pay the cost of redesigning the great seal of the state in compliance with a directive of the Legislature.

H. 304. To make an appropriation from the state treasury for the relief of J. J. McCullar.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 207. To amend Section 2 of Act No. 415, S. 280, Regular Session 1959, (Acts 1959, p. 1102) relating to service of process in civil suits on certain persons who have absented themselves from the state; prescribing the fee to be charged by the secretary of state for services performed in connection therewith.

H. 223. To amend Section 91 of Title 34, Code of Alabama 1940.

H. 333. An Act providing for the recovery of damages from the parents of minors under eighteen years of age for willful or malicious destruction of property; limiting the amount of Five Hundred and No/100 Dollars (\$500.00), but not limiting the liability of parents as the same may otherwise exist.

H. 421. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

H. 422. To provide equality and prevent inequality in the levy and collection of taxes applicable to or paid by Banks and Savings and Loan Associations doing business in the State of Alabama amending Section 619 (1) Title 51, Code of Alabama, 1940 as amended.

Mr. Nabors, Vice-Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 369. (With Amendment). To amend Section 222, Title 52, The Code of Alabama of 1940, as recompiled in 1958, which section relates to place and method of payment of warrants, by eliminating therefrom the schedule of maximum fees to be paid a paying agent for the services performed in acting as paying agent of a board of education and as reimburse-

ment for expenses incurred in remitting payments of warrants and/or coupons therefrom and substituting therefor a provision that a board of education shall pay such reasonable fees for such services, and as such reimbursement as may be negotiated and agreed upon by the board of education and its paying agent.

Mr. Nabors, Vice-Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar to-wit:

H. 370. To amend Section 7 (2) of Title 58, The Code of Alabama of 1940, as recompiled in 1958, which Section relates to the execution of proxies by fiduciary holding corporate stocks by adding thereto provisions providing for the voting of corporate stocks when the same are registered in the name of a nominee of a fiduciary.

H. 425. To amend Section 62 and Section 73 of Act No. 414, S. 261, approved November 13, 1959 (General Acts of Alabama, 1959, Vol. 2, Page 1055) entitled "An Act to provide further for the organization, admission, consolidation, merger, and dissolution of certain corporations, and to prescribe the powers, authority, and duties of such corporations, and of the officers, directors, and stockholders thereof; subject to the provisions of Section 100 of this Act, to repeal Sections 1 through Section 15, Sections 17 and 18, Sections 22 through 47, Section 70, Sections 91 through 101, Sections 103 through 110, Sections 189 through 197, all as contained in Title 10 of the Code of Alabama of 1940 as amended; and Section 198 of Title 10 of the Code of Alabama of 1940," by recognizing that nominees of corporate fiduciaries hold shares of stock for more than one fiduciary account and may vote a part of said holding in one manner and another part in a different manner.

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 128. To amend Section 1 of Act No. 644, S. 328, approved September 16, 1953, Acts of Alabama, Regular Session, 1953, page 903, entitled, "An Act relating to fish and game; authorizing the use of certain species of the sunfish family for bait in the streams and waters in the State of Alabama."

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 271. (With Amendment). To make it unlawful to discharge a fire-arm, bow and arrow or other weapon at or in the direction of another person or to wound or injure any person while hunting; providing the penalty therefor and providing for the revocation of the hunting privileges or rights of any person convicted under the provisions of this Act for a period of two to five years.

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 308. To amend Section 1 of Act No. 1001, page 1672, Acts of Alabama, 1951 Regular Session, approved September 14, 1951, which pro-

hibits the baiting of wild game birds and animals so as to give the Director of Conservation power to close any area to hunting that is found to be a baited area.

H. 340. To amend further Code of Alabama 1940, Title 8, Section 204, which relates to burning woods, brush, grass and like inflammable objects, so as to prescribe further the penalties for certain violations.

H. 403. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-game fish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 295. (With Amendments.) To provide for conditional release of county prisoners; repealing conflicting laws.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 415. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Marion County, Alabama.

H. 416. Relating to Marion County; regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

H. 423. To amend Section 10, Act Number 250 of the Regular Session of the Legislature of the State of Alabama, 1959.

H. 426. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census.

H. 427. Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

H. 428. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

H. 429. Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

H. 430. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

H. 435. To create a court of general sessions for Washington County in lieu of the inferior court created by Act No. 22, H. 201, Regular Ses-

sion 1949, abolishing the inferior court, and conferring upon the court of general sessions jurisdiction in certain civil cases at law.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 389. To amend further Section 1 of Act No. 691, S. 284, Regular Session 1951 (Acts 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Thirteenth Judicial Circuit.

H. 404. Relating to counties having populations of not less than 300,000 nor more than 500,000; to provide further for fixing valuations of real property for ad valorem taxation.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Davis:

H. 436. To make an appropriation from the State Treasury to the use of the board of education of Bibb County for construction and equipment of a new high school at West Blocton.

Ways and Means.

By Mr. Davis:

H. 437. Relating to the public schools; prohibiting the collection of matriculation or tuition fees by the public schools of the state under supervision of city or county boards of education; repealing conflicting laws.

Education.

By Mr. Davis (With Notice and Proof):

H. 438. To amend Section 10 of Act No. 17, H. 21, Regular Session 1957 (Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

Local Legislation No. 1.

Notice and Proof H. 438:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF BIBB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 10 of Act No. 17, H. 21, Regular Session 1957

(Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 10 of Act No. 17, H. 21, Regular Session 1957, (Acts 1957, p. 43), the Bibb County sales and use tax act, is hereby amended to read as follows:

"Section 10. Disposition of Revenues from Taxes herein Levied. The State Department of Revenue shall make an annual charge to Bibb County for collecting the taxes herein levied, such charge for each fiscal year to be an amount bearing the same relation, and standing in the same ratio, to the total amount of the taxes collected hereunder that the total cost during the same fiscal year of collecting the State Sales Tax and the State Use Tax bears to the total amount of the State Sales Tax and the State Use Tax collected during that fiscal year; and the said annual charge for each fiscal year shall be retained by the State Department of Revenue out of the taxes collected hereunder during September of the same fiscal year. The Commissioner of Revenue shall pay into the state treasury all taxes collected under this act, as such taxes are received by the commissioner; and on or before the first day of each successive month- (commencing with the month following the month in which the Commissioner makes the first collections hereunder), the Commissioner shall certify to the State Comptroller the amount of taxes collected under the provisions of this act and paid by him into the state treasury for the benefit of Bibb County during the month immediately preceding the making of such certificate; provided, however, that before certifying the amount of the taxes paid into the state treasury for the benefit of Bibb County during each September, the Commissioner shall deduct from the taxes collected in said month the aforesaid annual charge of the department for that fiscal year. It shall be the duty of the Comptroller each month to issue his warrants on the State Treasurer, in the amount so certified by the Commissioner of Revenue as having been collected under this act and paid during the then preceding month into the State Treasury, and payable as follows: (a) sixty per cent (60%) of the amount so certified by the Commissioner of Revenue as having been collected under this act and paid into the state treasury during the then preceding month and shall be paid, and is hereby appropriated, to the Bibb County Hospital Board, a public corporation organized in Bibb County under Act No. 46 adopted at the 1949 regular Session of the Legislature of this State, and (b) the remaining forty percent (40%) of the amount so certified by the Commissioner is hereby appropriated for the school purposes hereinafter specified and shall be paid to the custodian of the public school funds of Bibb County. The sixty percent (60%) of the revenues from the taxes herein levied, which is required by this section to be paid to Bibb County Hospital Board shall be used for the following hospital and health purposes: (1) for payment of the principal of and interest on any securities that may be issued by Bibb County Hospital Board under any general law for the purpose of constructing and equipping a county hospital and a county health clinic in Bibb County, including any establishment of reserves for such payment or for redemption of any such securities, including payment of any premium in connection with any such redemption, and (2) any surplus of said sixty percent (60%) received by said Bibb County Hospital Board during any fiscal year, in excess of any amount that may be required for that fiscal year for the purposes specified in the preceding clause (1), may be used for constructing, equipping, enlarging, maintaining and operating said hospital and said health clinic. The forty percent (40%) of the said revenues from the taxes herein levied, required under this section to be paid to the custodian of county school funds in Bibb County, shall be used for constructing, rebuilding, enlarging, equipping and repairing public school buildings in Bibb County and for purchasing buses for the public schools of Bibb County.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

J. W. OAKLEY, SR.,

Sworn to and subscribed before me May 30, 1963.

MARVIN HUETT,
Title Notary Public.

By Mr. Albea:

H. 439. To amend further Section 465 of Title 51, Code of Alabama 1940, which relates to the privilege license tax imposed on automobile accessory dealers.

Ways and Means.

By Messrs. Ingram, Casey, Engel, McDermott, Fields, Crawford, Teel, Nettles, Pierce, Blanton, Baker (DeKalb), NeSmith, Perry, Mashburn, Cates, Hogan, Morrow, Rogers, Faulk, Steagall, Hain, Dominick, Bethea (M), Scurlock, Bevill and Boston:

H. 440. To exempt licensed practitioners of any of the healing arts or any branch thereof from liability for civil damages resulting from any acts or omissions of such licensees in rendering emergency care at the scene of the emergency.

Judiciary.

By Mr. Salter:

H. 441. To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Steagall:

H. 442. To dispense with a Jury verdict in all Criminal Cases where the defendant has been indicted by a Grand Jury and provide for the Court to fix the punishment in such cases where defendants, after having had the advice of counsel, plead guilty in open Court to the commission of an offense embraced in the Indictment.

Judiciary.

By Messrs. Edwards (Escambia) and Nettles:

H. 443. To grant and provide for the payment of a cost-of-living raise to correctional officers employed by the state board of corrections.

Ways and Means.

By Mr. Faulk (With Notice and Proof):

H. 444. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Local Legislation No. 1.

Notice and Proof H. 444:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF GENEVA

NOTICE is hereby given that the Regular Session of the Legislature of Alabama, beginning May 7, 1963, a bill substantially as follows will be introduced and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Be it enacted by the Legislature of Alabama:

Section 1. The salary of the Chief Deputy Sheriff of Geneva County, Alabama, shall be such amount as fixed by the Court of County Commissioners or other governing body of the County, not less than \$4,200.00 and not more than \$6,000.00 per annum, payable in twelve equal monthly installments, out of the treasury of the County upon the warrant of the Court of County Commissioners or other governing body of the County.

Section 2. That all laws and parts of laws in conflict herewith are hereby expressly repealed and this act shall be of force and effect on and after the approval of the Governor.

CERTIFICATE OF PUBLICATION

STATE OF ALABAMA COUNTY OF GENEVA

I, Orsen Spivey, Publisher of the Geneva County Reaper, a weekly newspaper published in Geneva, Geneva County, Ala.* do hereby certify that the advertisement attached hereto has been published in said newspaper for a period of four consecutive weeks, commencing May 2, 1963 and ending May 23, 1963.

WITNESS my hand this 23 day of May, 1963.

ORSEN B. SPIVEY,

Sworn to and subscribed before me this 23 day of May, 1963.

JUNE B. BROXSON,
Notary Public.

By Messrs. Rast, Locke, Bowers, Meeks, Vacca, Bethea (M), Bailes, Morrow, Gilmore, Dominick, Sessions, Bethea (B), Collins, Perry, Brown (Jefferson), Etheredge and Hawkins:

H. 445. To further amend Section 712 of Title 51, Code of Alabama 1940 as amended so that certain requirements do not apply in counties of over 600,000 population.

Local Legislation No. 2.

By Messrs. Rast, Locke, Bowers, Meeks, Vacca, Bethea (M), Bailes, Morrow, Gilmore, Dominick, Sessions, Bethea (B), Collins, Perry, Brown (Jefferson), Etheredge and Hawkins (With Notice and Proof):

H. 446. To vacate certain streets, avenues and alleys, and other public ways in part of the area in the city of Birmingham known as Urban Renewal Project Ala. R-22, occupying part of the area west of Avenue "V", north of Pike Road, east of Avenue "J" and south of Twentieth Street, Ensley.

Local Legislation No. 2.

Notice and Proof H. 446:

NOTICE
OF INTENTION TO APPLY
FOR A LOCAL LAW

NOTICE is hereby given that the Housing Authority of the Birmingham District will apply to the Legislature of Alabama for the enactment of a local law vacating parts or all of that portion of the streets, avenues, alleys and other public ways lying within the boundary of the Urban Renewal Project in the City of Birmingham, Alabama, known as Ala. R-22, which Project lies West of Avenue "V," North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley, and to that end the Housing Authority of the Birmingham District will present to the Legislature of Alabama, for enactment at the Regular Session or a Special Session, in the year 1963, a Bill which will be entitled

An Act to vacate certain streets, avenues and alleys, and other public ways in part of the area in the City of Birmingham known as Urban Renewal Project, Ala. R-22, occupying part of the area West of Avenue "V," North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley.

HOUSING AUTHORITY OF THE
BIRMINGHAM DISTRICT

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 24th day of April A.D. one thousand nine hundred and Sixty-three personally appeared before me, J. L. Roberts, a Notary Public in and for the County and State aforesaid James E. Mills, who being duly sworn

according to law, declares that he is President of "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: April 1, 1963, April 8, 1963, April 15, 1963 and April 22, 1963.

JAMES E. MILLS,
President.

Subscribed and sworn to before me this 24th day of April 1963.

J. L. ROBERTS,
Notary Public.
My Commission expires 3/8/1964

By Messrs. Fields, Edington, Downing, Engel, Goodwyn, Pierce, Turner (Limestone), Hogan, Rogers, Little, Nettles, McDermott, Vacca, Cooper, Snell, Sessions, Locke and Meeks:

H. 447. Relating to the licensing of motor vehicles in the State of Alabama; prohibiting any person, firm, corporation or association from operating on or along the public highways of the State of Alabama any motor vehicle not bearing the vehicle license required by the laws of the State of Alabama for the particular type of vehicle, providing that such vehicular license shall be purchased or otherwise obtained in the proper county as defined in this Act; and to prescribe penalties for the violation hereof.

Transportation.

By Messrs. Engel, McDermott, Downing, Hogan, Rogers, Fields, Smith and Edington (With Notice and Proof):

H. 448. To apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a license tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax and to provide the machinery for the collection thereof and the operation of this Act; and to provide for the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act, and prescribe penalties and fix punishment of the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, or possessed by a retail dealer, which do not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of Alabama, of 1947, published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the collection of a license tax on malt or brewed beverages.

Local Legislation No. 3.

Notice and Proof H. 448:

LEGAL NOTICE

"Notice is hereby given that a bill will be introduced in the regular ses-

sion of the legislature of the State of Alabama at the next regular session, providing in substance as follows:

An Act entitled An Act to apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a License tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax; and to provide the machinery for the collection thereof and the operation of this Act; and to provide for the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act; and prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, or possessed by a retail dealer, which do not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of Alabama of 1947 published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the Collection of a license tax on malt or brewed beverages.

"Said bill shall not have the effect of altering or repealing any statute now in effect, but shall be in addition to and cumulative of all laws now in effect, except that statute and those ordinances which are by this Act expressly repealed and superseded; that it will provide that every distributor or seller of malt or brewed beverages shall, in addition to all other taxes and licenses now imposed by law, save as specifically exempted in the bill, pay a license tax to Mobile County, by payment to the License Commissioner of Mobile County, a License tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage for sale within Mobile County; that the License Commissioner of Mobile County will procure decals or other devices susceptible of being affixed to the containers of the said malt or brewed beverages, to be taken from storage, distributed or sold, evidencing the payment of the four cents tax levied by this Act, and such distributor or seller shall furnish the License Commissioner such forms and other printed matter and material as may be necessary in the administration of this act; that said bill will provide for the reimbursement to the County Commission of Mobile County for the cost and expense incurred by it in procuring and furnishing such decals, devices, forms or other matter to the License Commissioner, together with additional clerical help authorized in the bill; that the decals or other devices shall be furnished by the License Commissioner to each seller, distributor or taker out of storage, of malt or brewed beverages upon his request and payment to the License Commissioner of the amount of tax corresponding to decals less the discount provided for in the bill; that the License Commissioner shall distribute the net proceeds of the License tax to each municipality in the County of Mobile which now levies by ordinance a license tax on the taking out of storage, or sale or distribution of malt or brewed beverages, an amount equal to the tax paid at the rate of two cents for each container of malt or brewed beverages sold or distributed within the corporate limits of the said municipality, less that municipality's proportionate share of the deductions from the gross amount of tax, and the remaining tax in the hands of the License Commissioner after making payment to the several municipalities to be paid to the Board of School Commissioners of Mobile County; that said bill will provide how said tax for distribution will be determined and that each distributor, seller or taker out of storage shall, at the time of purchase by him of such decals

or other devices, be allowed for cost, labor and expense a twelve per cent (12%) discount on the gross amount of license tax represented by the said decals or other devices; that any distributor or seller failing, refusing or omitting to file the statements provided in the Act, or to keep the required records, receipts, and inventories, shall be guilty of a misdemeanor; that it will provide for inspection of premises by the License Inspector and for the enforcement of the provisions of this Act by such License Inspector, sheriff, and police officers; that said bill provides for the repeal of Act No. 415 of the Acts of the Legislature of Alabama of 1947, as amended by Act No. 622 of the Acts of the Legislature of Alabama of 1951; and all ordinances of municipalities in the County of Mobile which levy and collect a license tax on the sale and distribution of malt or brewed beverages are declared null and void as of the date of the taking effect of this act.

C. R. Willisson being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama and the attached notice appeared in the issue of The Mobile Register April 13, 20, 27, and May 4, 1963.

C. R. WILLISSON,

Sworn to and subscribed before me this 23rd day of May, 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Turner (Crenshaw), Goodwyn, Thomas, Nabors, Engel, McDermott and Hogan:

H. 449. To amend Title 55, Section 343, Code of Alabama 1940 (Recompiled 1958), as amended, making an appropriation for payment of awards by the State Board of Adjustment.

Ways and Means.

By Mr. Jones (Monroe):

H. 450. Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Local Legislation No. 1.

By Mr. Slate:

H. 451. To exempt certain persons from poll tax; amending Section 238 of Title 51, Code of Alabama 1940 in relation to periods of military service subject to exemption from the tax.

Constitution and Elections.

By Mr. Slate:

H. 452. To authorize the county governing body of each of the several counties to reimburse the judge of probate for certain expenses incurred in connection with membership in the Alabama Association of Probate Judges.

State Administration.

By Mr. Slate:

H. 453. To propose an amendment to the Constitution of Alabama relative to exemptions from the poll tax.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Slate:

H. 454. To exempt bona fide residents sixty-five years of age or older from the license fee imposed for the privilege of hunting.

Conservation.

By Mr. Cornett:

H. 455. To provide for a refund of a portion of the state excise tax on aviation fuel levied by Section 647 of Title 51 of the Code of Alabama of 1940, as amended, in excess of Three Hundred Fifty Thousand Dollars (\$350,000.00) collected in any fiscal year of the state; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of this Act; defining violations of this Act and prescribing penalties therefor; and to appropriate funds necessary to effect such refunds and to pay the cost of collecting said tax and making such refunds.

Ways and Means.

By Mr. Cornett:

H. 456. To further amend Section 647 of Title 51 of the Code of Alabama of 1940.

Ways and Means.

By Messrs. McCorquodale and Turner (Crenshaw):

H. 457. To make an appropriation of highway department funds for the relief of Thomas Jefferson Gibson and Fred Hendricks Dees.

Ways and Means.

By Messrs. Merrill, Brewer, Burnham, Bolton, Holladay, Rogers, Cornett, Steagall, Jones (Monroe), Goodwyn and Teel:

H. 458. Relating to motor vehicles; to provide for the use of two license tags or plates on each vehicle; amending Code of Alabama 1950, Title 36, Section 75, as amended, and Title 51, Section 705, as amended.

Judiciary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Edwards (Escambia):

H. J. R. 49. WHEREAS his Excellency, the Governor of Alabama, under trying circumstances and harrowing conditions, in hostile surround-

ings, gave a poised and dignified performance in his appearance on "Meet the Press," confuting his interrogators with sound arguments and reasonable statements of fact, and presenting for the first time to a national audience, in marvelous fashion, clearly and without equivocation, the point of view of a majority of the people of this state on one of the most vital issues of the day; now therefore,

BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That we enthusiastically and whole-heartedly commend the Governor on his masterful showing, which reflected so much credit on himself and the high office he holds.

On motion of Mr. Edwards (Escambia) the rules were suspended and H. J. R. 49 was adopted.

Also:

By Messrs. Nettles, Doggett, Jones (Monroe) and Daniel:

H. J. R. 50. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the subordinate officers and Clerks of the House and Senate be allowed Two Dollars (\$2.00) per day in addition to that now allowed for such positions.

On motion of Mr. Nettles the rules were suspended and H. J. R. 50 was adopted.

BILLS ON THIRD READING

H. 352. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Owens
Albea	Crawford	Hester	Paulk
Bailes	Daniel	Hogan	Perry
Baker (DeKalb)	Davis	Holladay	Pierce
Bassett	Downing	Ingram	Powell
Bethea (M)	Edington	Jones (Covington)	Pruitt
Bevill	Edwards (Escambia)	Jones (Monroe)	Rast
Blanton	Edwards (Lowndes)	Locke	Rogers
Bolton	Engel	McCorquodale	Salter
Bowers	Faulk	McDermott	Slate
Branyon	Fields	Martin	Smith
Burnham	Gilmore	Mashburn	Snell
Burns	Glass	Merrill	Steagall
Camp	Goodwyn	Moore	Stembridge
Campbell (Jackson)	Grouby	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Nabors	Wood
Carr	Hannah	NeSmith	Young
Collins	Harper	Nettles	

And the bill:

H. 380. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Covington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cornett	Heflin	Paulk
Albea	Crawford	Hester	Perry
Avery	Doggett	Hogan	Pierce
Baker (DeKalb)	Downing	Holladay	Powell
Bassett	Edington	Ingram	Pruitt
Bethea (M)	Edwards (Escambia)	Jones (Covington)	Rast
Blanton	Edwards (Lowndes)	Jones (Monroe)	Salter
Bowers	Engel	Locke	Scurlock
Branyon	Etheredge	McCorquodale	Slate
Brown (Jefferson)	Faulk	Martin	Smith
Burnham	Fields	Mashburn	Snell
Burns	Gilmore	Merrill	Steagall
Camp	Glass	Moore	Stembridge
Campbell (Jackson)	Goodwyn	Morrow	Teel
Campbell (Tuscaloosa)	Grouby	Nabors	Turner (Limestone)
Carr	Hain	NeSmith	Turnham
Cates	Hannah	Nettles	Wood
Collins	Harper	Owens	Young
Cooper	Hawkins		

—74

And the bill:

H. 381. Relating to counties having populations of not less than 15,500 nor more than 16,300; providing increases in pay for all employees of the county board of education in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hawkins	Paulk
Albea	Cornett	Heflin	Perry
Avery	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Powell
Bassett	Davis	Holladay	Pruitt
Bethea (M)	Doggett	Ingram	Rast
Bevill	Downing	Jones (Covington)	Rogers
Blanton	Edington	Jones (Monroe)	Salter
Folton	Edwards (Escambia)	Little	Scurlock
Boston	Edwards (Lowndes)	Locke	Smith
Bowers	Etheredge	McCorquodale	Snell
Branyon	Faulk	Martin	Steagall
Brown (Jefferson)	Fields	Mashburn	Stembridge
Burnham	Gilmore	Merrill	Sullivan
Burns	Glass	Moore	Teel
Camp	Goodwyn	Morrow	Turner (Limestone)
Campbell (Jackson)	Grouby	Nabors	Turnham
Carr	Hain	NeSmith	Wood
Cates	Hannah	Nettles	Young
Collins	Harper	Owens	

—79

And the bill:

H. 382. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 15,000 nor more than 15,300.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Owens
Albea	Crawford	Heflin	Paulk
Avery	Davis	Hester	Perry
Baker (DeKalb)	Doggett	Hogan	Pierce
Bassett	Dominick	Holladay	Pruitt
Bethea (M)	Downing	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Salter
Bolton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	Little	Smith
Branyon	Etheredge	Locke	Snell
Brown (Jefferson)	Faulk	McCorquodale	Steagall
Burnham	Fields	McDermott	Stembridge
Burns	Gilmore	Martin	Sullivan
Camp	Glass	Merrill	Teel
Campbell (Jackson)	Goodwyn	Moore	Turner (Limestone)
Carr	Grouby	Morrow	Turnham
Cates	Hain	Nabors	Wood
Collins	Hannah	NeSmith	Young
Cooper	Harper	Nettles	

—75

And the bill:

S. 51. To regulate the compensation and allowances of the superintendent of education of Marshall County.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Paulk
Albea	Cooper	Hester	Perry
Avery	Cornett	Hogan	Pierce
Baker (DeKalb)	Crawford	Holladay	Powell
Bassett	Daniel	Ingram	Pruitt
Bethea (M)	Davis	Jones (Covington)	Rast
Bevill	Doggett	Jones (Monroe)	Rogers
Blanton	Downing	Little	Salter
Bolton	Edwards (Escambia)	Locke	Scurlock
Boston	Faulk	McCorquodale	Smith
Bowers	Fields	McDermott	Snell
Branyon	Gilmore	Martin	Steagall
Brown (Jefferson)	Glass	Merrill	Stembridge
Burnham	Goodwyn	Moore	Sullivan
Burns	Grouby	Morrow	Teel
Camp	Hain	Nabors	Turner (Limestone)
Campbell (Jackson)	Hannah	NeSmith	Turnham
Carr	Harper	Nettles	Wood
Cates	Hawkins	Owens	Young

—76

And the bill:

H. 384. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was taken up.

Mr. Rast offered the following amendment to the bill, H. 384:

Amend H. B. 384 by striking out the letters and fractions, "(NW¼)" where same first appears after the words "Northeast Quarter", and substituting in lieu thereof "(NE¼)", so as to read:

"Northeast Quarter (NE¼)"

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hawkins	Pierce
Albea	Cornett	Heflin	Powell
Avery	Crawford	Hogan	Pruitt
Bailes	Daniel	Holladay	Rast
Baker (DeKalb)	Davis	Ingram	Rogers
Barnett	Doggett	Jones (Covington)	Salter
Bassett	Downing	Jones (Monroe)	Scurlock
Bevill	Edington	Locke	Sessions
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Smith
Bowers	Etheredge	Martin	Snell
Branyon	Faulk	Merrill	Steagall
Brown (Jefferson)	Fields	Moore	Stembridge
Burns	Gilmore	Morrow	Sullivan
Camp	Glass	Nabors	Teel
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Nettles	Turnham
Carr	Hain	Owens	Vacca
Cates	Hannah	Paulk	Wood
Collins	Harper	Perry	Young

—80

And said bill, H. 384, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Blanton	Campbell (Tuscaloosa)	Doggett
Albea	Bolton	Carr	Downing
Avery	Bowers	Cates	Edington
Bailes	Branyon	Collins	Edwards (Escambia)
Baker (DeKalb)	Brown (Jefferson)	Cooper	Edwards (Lowndes)
Barnett	Burnham	Cornett	Engel
Bassett	Burns	Crawford	Etheredge
Bethea (M)	Camp	Daniel	Faulk
Bevill	Campbell (Jackson)	Davis	Fields

Gilmore	Jones (Covington)	NeSmith	Smith
Glass	Jones (Monroe)	Nettles	Snell
Goodwyn	Little	Owens	Steagall
Grouby	Locke	Paulk	Stembridge
Hain	McCorquodale	Perry	Sullivan
Hannah	McDermott	Pierce	Teel
Harper	Martin	Pruitt	Turner (Limestone)
Hawkins	Meeks	Rast	Turnham
Heflin	Merrill	Rogers	Vacca
Hogan	Moore	Salter	Wood
Holladay	Morrow	Scurlock	Young
Ingram	Nabors	Sessions	

RESOLUTION

The following resolution was introduced:

By Mr. Thomas:

H. J. R. 51. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That we take great pleasure in extending our warmest thanks to the Birmingham Chamber of Commerce and to the distinguished members of the Jefferson County Delegation for the delightful and enjoyable "Dixie-land Supper" on Thursday evening, June 6, 1963, and cite them for their generous hospitality and genial cordiality.

RESOLVED FURTHER, That copies of this resolution shall be sent by the Clerk to the president and executive secretary of the Birmingham Chamber of Commerce.

On motion of Mr. Thomas the rules were suspended and H.J.R. 51 was adopted.

BILLS ON THIRD READING RESUMED

H. 176. To amend the title to and Section 1 of Act No. 4, H. 62, Second Special Session of 1956, approved March 16, 1956 (as heretofore amended), entitled, "An act relative to municipalities in this state having a population of not less than 23,000 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws

of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officers shall be a prerequisite to the issuance of such bonds or securing thereof" so as to make said Act applicable to municipalities having a population of not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Was again taken up.

Mr. Campbell (Tuscaloosa) offered the following amendment to the bill, H. 176:

Amendment to H. B. 176

In the caption, strike out the words and figures "so as to make said Act applicable to municipalities having a population of not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census" and insert "so as to make said Act applicable to all municipalities"

Also, in Section 1, second paragraph, strike out "An Act relative to municipalities in this state having a population of not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census" and insert "An Act relating to municipalities"

Also, in Section 2, second paragraph, strike out "Municipality means any incorporated city in this state having a population of not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census" and insert "Municipality means any incorporated city or town in this state".

And the amendment was adopted.

Yeas 76; Nays 7.

Yeas:

Mr. Speaker	Cates	Harper	Owens
Albea	Cooper	Hester	Perry
Avery	Cornett	Hogan	Pierce
Baker (DeKalb)	Daniel	Holladay	Pruitt
Bassett	Davis	Ingram	Rast
Bethea (B)	Doggett	Jones (Covington)	Rogers
Bethea (M)	Downing	Jones (Monroe)	Salter
Bevill	Edington	Little	Scurlock
Blanton	Edwards (Escambia)	Locke	Sessions
Bowers	Edwards (Lowndes)	McCorquodale	Slate
Branyon	Engel	McDermott	Smith
Brown (Jefferson)	Etheredge	Martin	Snell
Brown (Tuscaloosa)	Faulk	Mashburn	Teel
Burnham	Fields	Meade	Thomas
Burns	Gilmore	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Glass	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Vacca
Carr	Grouby	NeSmith	Wood
Casey	Hannah	Nettles	Young

—76

Nays:

Messrs.	Collins	Hawkins	Paulk
Bailes	Goodwyn	Moore	Stembridge

—7

The motion of Mr. Sullivan to indefinitely postpone the bill, H. 176, as amended, was lost.

Yeas 38; Nays 42.

Yeas:

Messrs.	Cates	Heflin	Paulk
Barnett	Cooper	Ingram	Pierce
Bethea (B)	Crawford	Jones (Monroe)	Scurlock
Bethea (M)	Daniel	Little	Smith
Bolton	Davis	Locke	Snell
Brown (Tuscaloosa)	Edington	Mashburn	Stembridge
Camp	Faulk	Meeks	Sullivan
Campbell (Jackson)	Goldthwaite	Moore	Teel
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turner (Limestone)
Carr	Hawkins	Owens	

—38

Nays:

Mr. Speaker	Dominick	Jones (Covington)	Pruitt
Albea	Edwards (Escambia)	McCorquodale	Rast
Bailes	Edwards (Lowndes)	McDermott	Salter
Baker (DeKalb)	Engel	Meade	Slate
Boston	Etheredge	Merrill	Steagall
Burnham	Fields	Morrow	Thomas
Burns	Glass	Nabors	Turner (Crenshaw)
Casey	Grouby	NeSmith	Vacca
Collins	Hain	Perry	Wood
Cornett	Hannah	Powell	Young
Doggett	Hogan		

—42

The motion of Mr. Salter to lay on the table the motion of Mr. Bethea (M) to recommit the bill, H. 176, as amended, was lost.

Yeas 36; Nays 44.

Yeas:

Mr. Speaker	Davis	Jones (Covington)	Rast
Albea	Edwards (Escambia)	McCorquodale	Rogers
Avery	Engel	McDermott	Salter
Bailes	Etheredge	Meade	Slate
Burnham	Glass	Merrill	Smith
Camp	Hawkins	Morrow	Steagall
Casey	Heflin	Nabors	Turner (Crenshaw)
Collins	Hogan	Perry	Vacca
Cornett	Ingram	Powell	Young

—36

Nays:

Messrs.	Carr	Grouby	Owens
Baker (DeKalb)	Cates	Hannah	Paulk
Barnett	Crawford	Holladay	Pierce
Bassett	Daniel	Jones (Monroe)	Scurlock
Bethea (B)	Doggett	Little	Sessions
Bethea (M)	Downing	Locke	Snell
Bolton	Edwards (Lowndes)	Martin	Stembridge
Boston	Faulk	Mashburn	Sullivan
Brown (Tuscaloosa)	Fields	Moore	Teel
Burns	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Nettles	Wood
Campbell (Tuscaloosa)			

—44

The question was then on the motion of Mr. Bethea (M) to recommit the bill, H. 176, as amended, and said motion was adopted.

Yeas 53; Nays 34.

Yeas:

Messrs.	Cooper	Hannah	Owens
Baker (DeKalb)	Cornett	Harper	Paulk
Barnett	Crawford	Hawkins	Pierce
Bassett	Daniel	Holladay	Rogers
Bethea (B)	Davis	Jones (Monroe)	Scurlock
Bethea (M)	Doggett	Little	Sessions
Bolton	Dominick	Locke	Snell
Bowers	Downing	Martin	Stembridge
Branyon	Edington	Mashburn	Sullivan
Brown (Tuscaloosa)	Faulk	Meeks	Teel
Campbell (Jackson)	Fields	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Turnham
Carr	Goodwyn	Nettles	Wood
Cates	Grouby		

—53

Nays:

Mr. Speaker	Edwards (Escambia)	McDermott	Salter
Albea	Engel	Meade	Slate
Bailes	Etheredge	Merrill	Smith
Blanton	Glass	Morrow	Steagall
Boston	Hain	Nabors	Thomas
Burnham	Hogan	Perry	Turner (Crenshaw)
Camp	Ingram	Pruitt	Vacca
Casey	McCorquodale	Rast	Young
Collins			

—34

And the Speaker recommitted the bill, H. 176, as amended, to the Standing Committee on Ways and Means.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bailes to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 164, was adopted.

PASSAGE OF H. 164

And the bill:

H. 164. To provide a system of mortgage insurance for private housing; creating the Alabama Housing Commission and defining its powers and duties, including the power to insure mortgages and, in the event of any mortgagee becoming entitled to the benefits of the insurance, to issue debentures unconditionally guaranteed by the state as to principal and interest; establishing conditions under which mortgages may be insured and conditions under which mortgagees become entitled to the benefits of the insurance; authorizing the commission to fix the premium charges for the insurance of mortgages; authorizing the commission to sue and be sued in certain civil actions; authorizing the commission to deal with, complete, rent, renovate, modernize, insure or sell for cash or credit any properties conveyed to them; authorizing the commission to exercise other powers necessary to accomplish the purpose of the commission which are not inconsistent.

ent with this act; providing for the examination of the commission by the superintendent of banks; and making an appropriation to the commission.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 19.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Avery	Collins	Harper	Posey
Bailes	Cooper	Hogan	Pruitt
Baker (DeKalb)	Cornett	Ingram	Rogers
Barnett	Crawford	Little	Sessions
Bassett	Daniel	Locke	Slate
Bethea (M)	Davis	McCorquodale	Smith
Blanton	Dominick	McDermott	Snell
Boston	Downing	Martin	Steagall
Branyon	Edwards (Lowndes)	Meeks	Sullivan
Brown (Jefferson)	Engel	Moore	Thomas
Brown (Tuscaloosa)	Etheredge	Nabors	Turner (Limestone)
Burns	Gilmore	NeSmith	Vacca
Campbell (Jackson)	Glass	Nettles	Wood
Campbell (Tuscaloosa)	Goldthwaite	Owens	Young
Carr	Hain	Perry	

—63

Nays:

Messrs.	Camp	Holladay	Paulk
Albea	Doggett	Jones (Covington)	Salter
Bethea (B)	Edwards (Escambia)	Mashburn	Stembridge
Bolton	Faulk	Merrill	Teel
Burnham	Heflin	Morrow	Turner (Crenshaw)

—19

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bailes to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 163, was adopted.

Yeas 64; Nays 14.

Yeas:

Mr. Speaker	Collins	Hannah	Pierce
Avery	Cornett	Harper	Posey
Bailes	Crawford	Hester	Pruitt
Baker (DeKalb)	Daniel	Hogan	Rast
Barnett	Davis	Ingram	Rogers
Bassett	Dominick	Jones (Monroe)	Salter
Bethea (M)	Downing	Little	Sessions
Bevill	Edwards (Escambia)	Locke	Slate
Blanton	Edwards (Lowndes)	Martin	Smith
Boston	Etheredge	Meeks	Snell
Bowers	Fields	Moore	Steagall
Brown (Jefferson)	Gilmore	Nabors	Sullivan
Brown (Tuscaloosa)	Glass	NeSmith	Turner (Limestone)
Burns	Goldthwaite	Nettles	Vacca
Carr	Goodwyn	Owens	Wood
Cates	Hain	Perry	Young

—64

Nays:

Messrs.	Camp	Jones (Covington)	Teel
Albea	Casey	Mashburn	Thomas
Bolton	Faulk	Merrill	Turner (Crenshaw)
Burnham	Heflin	Stembridge	

—14

And the bill:

H. 163. Proposing an amendment to the constitution of Alabama to authorize the legislature to enact laws creating a public corporation to provide a system of mortgage insurance for private housing.

Was taken up.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 49. Relative to commending the Governor on his masterful showing and dignified performance in his appearance on "Meet the Press".

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Dumas, Robison (Montgomery), Gilchrist, Roberts, McCain, Horton, Lowe, Bentley, Brannan, McDow, Hornsby, Montgomery, Cooper, Shelton, Givhan, Robison (Pickens), Reynolds, Taylor, Metcalf, Tyson, Wilson, Eddins, Adams, Clark, Nichols, Mathews and Lolley:

S. J. R. 11. WHEREAS, Governor George Wallace made an effective, dignified presentation of the fundamental views and beliefs of the vast majority of Alabamians in the "separate but equal" doctrine of race relations on the program "Meet the Press," televised over NBC from New York Sunday afternoon, June 2, 1963;

WHEREAS, Governor George Wallace spoke for the vast majority of Alabamians who feel sincerely that the decision of the United States Supreme Court in SCHOOL BOARD vs. BROWN in 1953 and the line of cases since following it in the federal courts, are the greatest national tragedy since the War between the States and that we should do everything possible to reverse this decision;

WHEREAS, Governor George Wallace made it abundantly clear to the whole nation that neither he as Chief Executive, nor the people of Alabama, will tolerate disorder or violence, but nevertheless made it equally as clear that we expect in every honorable and legitimate way to assert our belief in states rights and the doctrine of "separate but equal" facilities in the matter of race relations;

NOW THEREFORE BE IT RESOLVED, BOTH HOUSES OF THE LEGISLATURE CONCURRING, that we do hereby commend and congratulate Governor George Wallace on his excellent handling of the controversial issues of race relations in Alabama in a dignified manner and his able representation of the people of Alabama on "Meet the Press" over NBC;

BE IT FURTHER RESOLVED, that we hereby declare that Governor George Wallace's forthright statement of the southern viewpoint was an eminent service to Alabamians, to all southerners and to all throughout the country who believe in the reserved powers of the sovereign states and in the "separate but equal" doctrine in race relations.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S. J. R. 11 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Gilchrist:

S. J. R. 12. WHEREAS, the annual Alabama Boys State Program under the auspices of the American Legion provides hundreds of outstanding youth from throughout the state invaluable insight into the operation and functions of state and local governments and thus contributes greatly to the training and development of our future leaders, and

WHEREAS, the election of a Governor after an intensive campaign waged by exceptionally outstanding candidates represents a climactic and crowning achievement to the program and attests to the leadership, popularity, intelligence, organizational ability and perserverance of the successful candidate and thus represents a truly commendable accomplishment, and

WHEREAS, Mike Simpson, an outstanding athlete, scholar, and student leader of Morgan County High School was elected Governor from an imposing field of exceptionally fine candidates and has thus reflected great credit upon himself, his school, and community and has earned the plaudits and best wishes of the 425 delegates to Boys State; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, THE HOUSE AND SENATE CONCURRING, That we heartily commend and congratulate Mike Simpson on the high honor of election to the office of Governor of Boys State and extend our best wishes for his future success in all undertakings.

BE IT FURTHER RESOLVED, That we express our appreciation to the American Legion for their support and sponsorship of the Alabama Boys State program and that a copy of this resolution be sent to Mike Simpson, to the principal of Morgan County High School and to the State Commander of the Alabama District of the American Legion.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the rules were suspended and the House concurred in and adopted the S.J.R. 12 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 48. Relative to the malicious lies published in a column of "The Brooklyn Eagle" by Bob Farrell concerning the cities of Gadsden and Dothan.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Nichols:

S. J. R. 13. WHEREAS, the federal courts have decreed that the doors of the University of Alabama shall be opened to members of the Negro race, state laws, habits, and customs notwithstanding; and

WHEREAS, Governor George Wallace, a man of unquestionable integrity and vast courage, has offered himself in his official capacity as a symbol of state sovereignty in opposing this decree, which is considered by many to be the peak of ever-increasing federal encroachments on state's rights; and

WHEREAS, Governor Wallace, not for one moment forgetting that he is the governor of all the people of this state, both black and white, has promised that law and order will prevail, and has urged that all people without business at the University stay away; and

WHEREAS, the eyes of the people, not only of Alabama, but of the nation and of the world will be on the University of Alabama on the fateful day of June 11; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, that this body offers its well wishes and prayers for Governor Wallace in this most critical hour, and that it invokes divine guidance for him to the end that he may on this occasion so conduct himself as to bring credit to himself, to all the people of Alabama, and that peace and tranquility may prevail.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Burnham the rules were suspended and the House

concurred in and adopted the S.J.R. 13 set out in the above and foregoing Message from the Senate.

MOTIONS TO ADJOURN LOST

Mr. Faulk moved that the House adjourn until Tuesday, June 11, 1963, at twelve o'clock, noon.

The substitute motion of Mr. Turner (Crenshaw) that the House adjourn until Tuesday, June 11, 1963, at ten o'clock A.M. was lost.

Yeas 33; Nays 54.

Yeas:

Messrs.	Collins	Grouby	Meade
Bethea (B)	Cooper	Heflin	Merrill
Blanton	Crawford	Hester	Moore
Bolton	Fdington	Ingram	NeSmith
Branyon	Edwards (Escambia)	Jones (Monroe)	Thomas
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Turner (Crenshaw)
Brown (Tuscaloosa)	Engel	McDermott	Turner (Limestone)
Carr	Faulk	Mashburn	Wood
Casey	Fields		

—33

Nays:

Mr. Speaker	Davis	Locke	Salter
Albea	Doggett	Martin	Scurlock
Bailes	Dominick	Meeks	Sessions
Barnett	Downing	Nabors	Slate
Bethea (M)	Etheredge	Nettles	Smith
Bevill	Gilmore	Owens	Snell
Boston	Glass	Paulk	Steagall
Bowers	Goldthwaite	Perry	Stembridge
Burnham	Goodwyn	Pierce	Sullivan
Burns	Hain	Powell	Teel
Camp	Hannah	Pruitt	Turnham
Cates	Harper	Rast	Vacca
Cornett	Jones (Covington)	Rogers	Young
Daniel	Little		

—54

The question was then on the motion of Mr. Faulk that the House adjourn until Tuesday, June 11, 1963, at twelve o'clock, noon, and the motion was lost.

Yeas 29; Nays 57.

Yeas:

Messrs.	Camp	Heflin	Pruitt
Albea	Casey	Hester	Stembridge
Bethea (B)	Crawford	Ingram	Teel
Bolton	Downing	Jones (Covington)	Thomas
Branyon	Edwards (Escambia)	McDermott	Turner (Crenshaw)
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Turner (Limestone)
Burnham	Faulk	Merrill	Wood
Burns	Grouby		

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Nays:

Mr. Speaker	Daniel	Harper	Pierce
Bailes	Davis	Little	Rast
Barnett	Doggett	Locke	Rogers
Bethea (M)	Dominick	McCorquodale	Salter
Bevill	Edington	Martin	Scurlock
Blanton	Engel	Mashburn	Sessions
Boston	Etheredge	Meeks	Slate
Bowers	Fields	Moore	Smith
Brown (Jefferson)	Gilmore	Nabors	Snell
Campbell (Jackson)	Glass	NeSmith	Steagall
Carr	Goldthwaite	Nettles	Sullivan
Cates	Goodwyn	Owens	Turnham
Collins	Hain	Paulk	Vacca
Cooper	Hannah	Perry	Young
Cornett			

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CONSIDERATION OF H. 163 RESUMED

And the bill:

H. 163. Proposing an amendment to the Constitution of Alabama to authorize the legislature to enact laws creating a public corporation to provide a system of mortgage insurance for private housing.

Was again taken up.

And said bill, H. 163, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 11.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Avery	Cooper	Harper	Pierce
Bailes	Cornett	Hester	Pruitt
Baker (DeKalb)	Crawford	Ingram	Rast
Barnett	Daniel	Jones (Monroe)	Rogers
Bassett	Davis	Little	Salter
Bethea (M)	Doggett	Locke	Scurlock
Bevill	Dominick	McCorquodale	Sessions
Blanton	Downing	McDermott	Slate
Boston	Edington	Martin	Snell
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Sullivan
Brown (Jefferson)	Engel	Moore	Thomas
Burns	Etheredge	Nabors	Turner (Limestone)
Camp	Gilmore	NeSmith	Turnham
Campbell (Tuscaloosa)	Glass	Nettles	Vacca
Carr	Goldthwaite	Owens	Wood
Casey	Grouby	Paulk	Young
Cates	Hain		

—74

Nays:

Messrs.	Brown (Tuscaloosa)	Heflin	Stembridge
Bethea (B)	Faulk	Jones (Covington)	Teel
Bolton	Goodwyn	Mashburn	Turner (Crenshaw)

—11

RESOLUTION

The following resolution was introduced:

By Mr. Campbell (Jackson):

H. J. R. 52. WHEREAS, with the death of the Honorable John Milton Snodgrass on June 1, 1963, the state is bereft of a beloved public servant, an able judge, and a distinguished former member of the House; and

WHEREAS, Judge Snodgrass served his country as captain in the armed forces during World War I, represented his county with distinction in this body for three terms, and for the past fourteen years has served with dignity, understanding, and untiring energy as Judge of the Ninth Judicial Circuit; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we hereby express our deep regret at the loss of an outstanding citizen and extend our sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED, That the Clerk of the House shall send copies of this resolution to the family of Judge Snodgrass.

On motion of Mr. Campbell (Jackson) the rules were suspended and H.J.R. 52 was adopted.

ADJOURNMENT

Mr. Turner (Crenshaw) moved that the House adjourn until Tuesday, June 11, 1963, at ten o'clock A.M.

The substitute motion of Mr. Cates that the House adjourn until Tuesday, June 11, 1963, at twelve o'clock, noon, was adopted.

Yeas 50; Nays 38.

Yeas:

Messrs.	Burns	Gilmore	Owens
Albea	Camp	Goldthwaite	Paulk
Avery	Campbell (Tuscaloosa)	Hain	Powell
Bailes	Carr	Harper	Sessions
Baker (DeKalb)	Casey	Ingram	Smith
Baker (Madison)	Cates	Jones (Covington)	Steagall
Barnett	Cornett	Jones (Moore)	Stembridge
Bassett	Crawford	McCorquodale	Sullivan
Blanton	Daniel	Meeks	Teel
Bolton	Davis	Merrill	Turner (Limestone)
Brown (Jefferson)	Doggett	Moore	Vacca
Brown (Tuscaloosa)	Downing	NeSmith	Wood
Burnham	Etheredge	Nettles	

—50

Nays:

Mr. Speaker	Branyon	Edgington	Glass
Bethea (B)	Campbell (Jackson)	Edwards (Escambia)	Goodwyn
Bethea (M)	Collins	Edwards (Lowndes)	Grouby
Bevill	Cooper	Engel	Hannah
Boston	Dominick	Fields	Hogan

Little
 Locke
 McDermott
 Martin
 Mashburn

Meade
 Nabors
 Perry
 Pierce
 Rast

Rogers
 Salter
 Scurlock
 Slate

Thomas
 Turner (Crenshaw)
 Turnham
 Young

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THIRTEENTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, June 11, 1963

The House met pursuant to adjournment.

PRAYER

Dr. Henry L. Lyon, Jr., Pastor, Highland Avenue Baptist Church, Montgomery, Alabama, opened the session with the following prayer:

Almighty God, Father of our Lord Jesus and giver of peace and freedom for the souls of all men, we thank Thee for America and the Constitution of these United States, which provides for the individual rights of every citizen and the rights of fifty (50) Sovereign States. Through our re-dedication to constitutional government, hasten the day when, again, there shall emanate from Washington the spirit of our Republic blessing all men around the world.

Heavenly Father, we glorify and praise Thy Name for Thy wondrous works of creation and grace. Especially do we thank Thee for the beauty of physical human beings with their white, black, yellow and red faces. Give us the grace to be happy and satisfied with Thy wondrous work. Make us conscious of Thy mission for every race.

Holy Father, we thank Thee for the gift of Governor George C. Wallace for this troublous hour in our beloved State of Alabama. Surround him with Thy protective grace today as he stands for peace, right and true freedom for all men.

In the spirit of our ancestors "we mutually pledge to each other our lives, our fortunes, and our sacred honour" that we may glorify Thy Name and stand in this hour for the good of all men around the world.

We make all of these petitions in the name of our Lord Jesus and for His sweet sake. Amen.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Messrs.
 Albea

Avery
 Bailes

Baker (DeKalb)
 Baker (Madison)

Barnett
 Bassett

Bethea (B)	Crawford	Heflin	Pierce
Bethea (M)	Daniel	Hester	Posey
Bevill	Davis	Hogan	Powell
Blanton	Doggett	Holladay	Pruitt
Bolton	Dominick	Ingram	Rast
Bowers	Downing	Jones (Covington)	Reynolds
Boston	Drake	Jones (Monroe)	Rogers
Branyon	Edington	Little	Salter
Brown (Jefferson)	Edwards (Escambia)	Locke	Scurlock
Brown (Tuscaloosa)	Edwards (Lowndes)	McCorquodale	Sessions
Burnham	Engel	McDermott	Slate
Burns	Etheredge	Martin	Smith
Callahan	Faulk	Mashburn	Snell
Camp	Fields	Meade	Steagall
Campbell (Jackson)	Fite	Meeks	Stembridge
Campbell (Tuscaloosa)	Gilmore	Merrill	Sullivan
Cantrell	Glass	Moore	Teel
Carr	Goldthwaite	Morrow	Thomas
Casey	Grouby	Nabors	Turner (Crenshaw)
Cates	Hain	NeSmith	Turner (Limestone)
Collins	Hankins	Nettles	Turnham
Cook	Hannah	Owens	Vacca
Cooper	Harper	Pennington	Wood
Cornett	Hawkins	Perry	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twelfth legislative day and finds the same to be correct.

RANKIN FITE,
Vice-Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the twelfth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twelfth legislative day was approved.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 449. To amend Title 55, Section 343, Code of Alabama 1940 (Recompiled 1958), as amended, making an appropriation for payment of awards by the State Board of Adjustment.

H. 457. To make an appropriation of highway department funds for the relief of Thomas Jefferson Gibson and Fred Hendricks Dees.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following

bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 398. To provide for the safety of life, limb and property, and to create a board of rules to serve without salary and to formulate and promulgate rules and regulations for the safe construction, installation, inspection and repair of boilers; to provide for the enforcement of the rules and regulations promulgated by the board of boiler rules; to provide for the examination and appointment of boiler inspectors; to provide for the inspection of boilers, the fees to be charged therefor, and the reports to be made thereof; to provide for inspection certificates; to provide for appeals; to provide an appropriation to carry out the provisions of the act; and to provide a penalty for the violation of the provisions of this act.

H. 411. To provide further for the collection of unpaid wages; authorizing the director of labor to take assignments in trust of certain wage claims and thereafter to settle, adjust and collect such claims, through suits at law, if necessary; to provide for and regulate such suits; to forbid an employer's exempting himself, by contract, from this Act; and to direct the director of labor to retain and pay into the state treasury a per cent of all wage claims collected under this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 387. Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation may be paid by the county; repealing conflicting laws.

H. 438. To amend Section 10 of Act No. 17, H. 21, Regular Session 1957 (Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

H. 441. To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800, according to the last or any subsequent federal decennial census.

H. 444. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

H. 450. Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

S. 60. Relating to Barbour County; to authorize the appointment of two jailers by the county governing body.

S. 62. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 284. To propose an amendment to the Constitution of Alabama

authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of poultry and poultry products.

The above bill was read a second time at length as required by the Constitution.

H. 285. To authorize and provide for the promotion of the production, marketing and use of eggs and egg products by research, education, advertising and other methods; prescribing a method whereby producers of eggs may act jointly with handlers, buyers and processors of poultry and poultry products and with the State Board of Agriculture and Industries for a promotional program; providing that producers of eggs who own or have possession of hens may by referendum levy upon themselves assessments for financing a promotional program and for the collection and expenditure of funds collected from assessments, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to such a promotional program; and providing for the administration thereof by nonprofit associations; and providing for the collection of assessments by dealers, handlers, processors or other purchasers of hens; requiring an annual permit of such dealers, processors and buyers of hens; refund rights of sellers of hens; and other administrative, enforcement and penalty provisions in connection with such a promotional program.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendment, and they were severally read a second time and placed on the Calendar, to-wit:

H. 139. (With Amendment). To provide for the eradication, control and prevention of the spread of diseases of poultry by requiring commercial poultry producers and commercial poultry hatcheries to be equipped with facilities for the destruction and disposal of dead poultry, unhatched or unused eggs and other poultry waste, and to authorize the State Board of Agriculture and Industries to adopt rules, regulations and requirements to carry out the requirements of this Act; to provide a penalty for violations of this Act and to make it unlawful to supply or furnish poultry producers with baby chicks in violation of this Act.

H. 413. (With Amendment). To provide the labeling, sale and offering or exposing for sale or distribution of agricultural, vegetable, flower, tree, shrub and herb seeds; to prevent misrepresentations relative thereto and to prohibit the sale of such seeds not in compliance with the requirements of this Act; to require seed dealers and others engaged in the sale of seeds to obtain an annual permit from the Department of Agriculture and Industries and to prescribe the amount of the permit fee; to authorize the State Board of Agriculture and Industries to promulgate rules and regulations for effectuating the purposes of this Act; to prescribe the duties and authority of the Commissioner of Agriculture and Industries relative to administration and enforcement of this Act; to prescribe a penalty for violations of this Act and other administrative and enforcement provisions; to repeal Act No. 560, S. 369, Legislature of 1943, approved July 9, 1943 (Acts of 1943, page 552).

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 445. To further amend Section 712 of Title 51, Code of Alabama

1940 as amended so that certain requirements do not apply in counties of over 600,000 population.

H. 446. To vacate certain Streets, Avenues and Alleys, and other public ways in part of the area in the City of Birmingham known as Urban Renewal Project Ala. R-22, occupying part of the area West of Avenue "V", North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 84. (With Amendment). To provide for and create the Mobile County Racing Commission for the regulation, licensing, and supervision of dog racing, and wagering thereon; to prescribe the composition, appointment, powers, and duties of the commission; to provide for and regulate the parimutuel or certificate method of wagering within the enclosure of licensed race tracks; to provide for the distribution of license fees, taxes, commissions, and other monies received under the provisions of the Act; and to provide certain penalties for the violation of this Act and for other purposes relative thereto, and to provide for a referendum of the voters of the county on the question of whether the Act will become effective in the county.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 448. To apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a license tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax and to provide the machinery for the collection thereof and the operation of this Act; and to provide for the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act, and prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, or possessed by a retail dealer, which do not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of Alabama of 1947, published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the collection of a license tax on malt or brewed beverages.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Martin, Engel, Daniel, Davis, Sullivan, Young and Cates:

H. 459. To require and provide for the manufacture of motor vehicle license tags or registration plates and annual license tabs or other devices to be affixed thereto to indicate the license year, in the prison industries of the State; to provide for the appropriation to the board of corrections of money to defray the cost of making such tags or plates and tabs or other devices out of the proceeds of the motor vehicle and trailer license taxes; and to amend further Section 713 of Title 51, Code of Alabama 1940, as amended, in order to make such section consistent with this Act.

Ways and Means.

By Messrs. Martin, Engel, Daniel, Davis, Sullivan, Young and Cates:

H. 460. Regulating further the registration and licensing of motor vehicles: to require all motor vehicles operated in Alabama to be registered and annually to be licensed and to have attached thereto one registration plate with a tab or other device indicating the payment of the license tax for the current year; to convert vehicle license tags and the numbers thereon issued for the fiscal year beginning October 1, 1964 into the registration number and plate hereby required of the licensee; to provide for and regulate the issuance and use of registration plates and annual license tabs or other such devices; to prescribe penalties for violations of this Act; to amend Sections 704, 705, and 708 of Title 51, Code of Alabama 1940 to conform to this Act; and to repeal Sections 693 and 706 of said Title 51 and Act No. 35, H. 34, approved May 28, 1945 (Acts of 1945, p. 42), and other laws in conflict herewith.

Ways and Means.

By Mr. Slate:

H. 461. To authorize the respective Circuit Judges of Alabama and the Juvenile Judges of Alabama to inspect the various records of the State Department of Pensions and Security.

Judiciary.

By Messrs. Bassett, Stembridge, Wood, Edwards (Lowndes) and Edwards (Escambia):

H. 462. To amend Section 106 of Title 8, Code of Alabama 1940, which relates to the liability of persons for the killing of livestock and domestic animals while hunting.

Judiciary.

By Messrs. Bailes, Collins, Bowers, Perry, Meeks, Locke, Sessions, Vacca, Brown (Jefferson), Morrow, Rast and Etheredge (With Notice and Proof):

H. 463. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 463:

NOTICE

Notice is hereby given of intention to apply at the present regular

session or any future special or regular session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from details, of the following:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That, from and after the passage and approval of this Act, the boundary lines of the City of Mountain Brook, Jefferson County, Alabama, be and the same are altered and re-arranged, so as to include within the corporate limits of said City of Mountain Brook, Jefferson County, Alabama, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said city, more particularly described as follows:

The NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 21, Township 18 South, Range 2 West.

Section 2. All laws or parts of law which conflict with this Act are repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the Publisher of The Birmingham Messenger, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 18, 25; June 1, 8, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 10th day of June, 1963.

ANGIE CAMPISI,
Notary Public.

By Messrs. Etheredge, Brown (Jefferson), Sessions, Vacca, Bowers, Meeks, Morrow, Rast and Perry:

H. 464. To amend Act No. 47, H. 92, Special Session 1961 (Acts

1961, v. 2. p. 1904), which grants certain exemptions from state, county, and municipal taxation.

Ways and Means.

By Messrs. Etheredge, Brown (Jefferson) and Engel:

H. 465. Relating to state revenue; further prescribing deductions of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

Ways and Means.

By Messrs. Burns, Nabors and Owens:

H. 466. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county.

Local Legislation No. 1.

By Mr. Pruitt:

H. 467. Proposing an amendment to the Constitution of Alabama relating to York in Sumter County, and ordering an election thereon.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Campbell (Tuscaloosa):

H. 468. To amend Section 781, Title 37, Code of Alabama of 1940, which relates to a Board of Zoning Adjustment, provides for the appointment of five regular members and two supernumerary members, and defines the authority, powers and functions of such Board of Zoning Adjustment, its procedure and appeals from its decisions.

Judiciary.

By Mr. Campbell (Tuscaloosa):

H. 469. To repeal Act No. 4, H. 62, Second Special Session 1956 (Acts 1956, p. 240) relating to the powers of municipalities in this state having a population of not less than 23,000 nor more than 100,000, according to the last or any subsequent federal census.

Local Legislation No. 1.

By Mr. Fite:

H. 470. To make an additional appropriation for payment of expenses of the Legislature.

Ways and Means.

By Messrs. Bethea (M), Vacca, Slate, Fields, Bevil, Bailes, Bethea (B), Scurlock, Davis, Brown (Tuscaloosa), Salter and Stenbridge:

H. 471. Providing special educational benefits for the legal children of Thomas Willard Ray, Leo F. Baker, Riley W. Shamburger, and Wade

Carroll Gray, four citizens of the State of Alabama who were killed at the Bay of Pigs, Cuba.

Ways and Means.

By Messrs. Salter, McCorquodale, Faulk, Stembridge, Hain, Davis, Cook, Nettles, Wood, Edwards (Lowndes), Downing, Young, Crawford, Edwards (Escambia), Glass, Bassett, Jones (Covington), Drake, Smith, Jones (Monroe), Blanton, Moore, Callahan, Brown (Tuscaloosa), Bethea (M), Fite, Hankins, Scurlock, Beville, Cates, Avery, Owens, Mashburn and Engel:

H. 472. To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Agriculture.

By Messrs. Salter, McCorquodale, Faulk, Stembridge, Hain, Davis, Cook, Nettles, Wood, Edwards (Lowndes), Downing, Young, Crawford, Edwards (Escambia), Glass, Bassett, Jones (Covington), Drake, Smith, Jones (Monroe), Blanton, Moore, Callahan, Brown (Tuscaloosa), Bethea (M), Fite, Hankins, Scurlock, Beville, Cates, Avery, Owens, Mashburn and Engel:

H. 473. To amend Section 3, of Act 515, approved July 9, 1945, as amended, to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Agriculture.

By Mr. Steagall:

H. 474. To authorize and regulate the investment of funds deposited with the register of the circuit court in pending cases.

Ways and Means.

By Mr. Meade (With Notice and Proof):

H. 475. To amend further Section 3 of Act No. 162, Regular Session 1943 (Local Acts 1943, p. 78) to fix the expense allowance of the sheriff of Cherokee County.

Local Legislation No. 1.

Notice and Proof H. 475:

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Section 3 of Act. No. 162, Regular Session 1943

(Local Acts 1943, p. 78) to fix the expense allowance of the sheriff of Cherokee County.

Be it enacted by the legislature of Alabama:

Section 1. Section 3 of Act. No. 62, Regular Session 1943, (Local acts 1943 p. 78) relating to provisions for office equipment, supplies, clerical assistance and expense allowances for certain officers of Cherokee County, as amended, is further amended to read

"Section 3. The Board of Revenue or like governing body of Cherokee County shall provide each of said officers named in Section 1, of this Act, with the necessary offices, books, stationery, office equipment, supplies (files, furniture, typewriters, adding machine, postage and other conveniences and equipment necessary for the proper and efficient conducting and handling of the affairs of said office. The Board of Revenue or other like governing body shall provide additional clerical help as they deem necessary for the proper and efficient operation of the offices named in Section 1. of this Act, but the total compensation of all such clerks shall not exceed Three Thousand Six Hundred Dollars (\$3600.00) per annum. The Board of Revenue or other like governing body shall provide the Sheriff with gasoline and motor oil and automobile expense for transportation in the enforcement of the laws of the State and the proper and efficient conduct of his office, in a sum not to exceed Five Hundred (\$500.00) per month, to be paid by properly receipted bills and vouchers presented for payment each month."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1963.

JOE SHAW, JR.,

Sworn to and subscribed before me June 10, 1963.

FAYRENE D. CHAMBLESS,
Title Notary Public.

By Mr. Meade (With Notice and Proof):

H. 476. To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation and provide for the payment thereof out of county funds.

Local Legislation No. 1.

Notice and Proof H. 476:

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Be it enacted by the Legislature of Alabama:

Section 1. The board of revenue or other like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks, deputies, and assistants to the tax collector of Cherokee County, but the tax collector shall select the said clerks, deputies and other assistants and shall fix their compensation. However, the combined salary or compensation of said clerks, deputies and assistants selected by the tax collector shall not exceed twelve hundred dollars (\$1200) per annum. The tax collector shall have the right to discharge the said clerks, deputies, and assistants at will. The salary or compensation of the clerks, deputies and assistants shall be paid out on requisitions signed by the tax collector from the general funds of Cherokee County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1963.

JOE SHAW, JR.,

Sworn to and subscribed before me June 10, 1963.

FAYRENE D. CHAMBLESS,
Title Notary Public.

By Mr. Meade (With Notice and Proof):

H. 477. To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Local Legislation No. 1.

Notice and Proof H. 477:

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue or other like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks, deputies and assistants to the tax assessor of Cherokee County, but the tax assessor shall select the said clerks, deputies and other assistants and shall fix their compensation. However, the combined salary or compensation of said clerks, deputies and assistants selected by the tax assessor shall not exceed eighteen hundred dollars (\$1,800) per annum. The tax assessor shall have the right to discharge the said clerks, deputies, and assistants at will. The salary or compensation of the clerks, deputies and assistants shall be paid out on requisitions signed by the tax assessor or from the general funds of Cherokee County.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF CHEROKEE**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice

was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1963.

JOE SHAW, JR.,

Sworn to and subscribed before me June 10, 1963.

FAYRENE D. CHAMBLESS,
Title Notary Public.

By Mr. Meade (With Notice and Proof):

H. 478. To authorize and provide for clerical assistants to the County Solicitor of Cherokee County; to provide for the selection, employment and discharge of such assistants; to fix their compensation, and provide for the payment thereof out of county funds.

Local Legislation No. 1.

Notice and Proof H. 478:

STATE OF ALABAMA
COUNTY OF CHEROKEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for clerical assistants to the County Solicitor of Cherokee County; to provide for the selection, employment and discharge of such assistants; to fix their compensation and provide for the payment thereof out of county funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue or other like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks and assistants to the County Solicitor of Cherokee County, but the County Solicitor shall select the said clerks and other assistants and shall fix their compensation. However, the combined salary or compensation of said clerks and assistants selected by the County Solicitor shall not exceed one thousand two hundred (\$1,200.00) dollars, per annum. The County Solicitor shall have the right to discharge the said clerks and assistants at will. The salary or compensation of the clerks and assistants shall be paid in equal monthly installments out of the general fund of Cherokee County upon separate warrants drawn in the same manner as other employees of Cherokee County are paid.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice having appeared in the issues of said paper on 5-15-63, 5-22-63, 5-29-63, and 6-5-63, all in the year 1963.

JOE SHAW, JR.,

Sworn to and subscribed before me June 10, 1963.

FAYRENE D. CHAMBLESS,
Title Notary Public.

By Mr. Meade (With Notice and Proof):

H. 479. To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Local Legislation No. 1.

Notice and Proof H. 479:

STATE OF ALABAMA
COUNTY OF CHEROKEE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue or other like governing body of Cherokee County is required, authorized and empowered to provide sufficient clerks, deputies and assistants to the circuit clerk of Cherokee County, but the circuit clerk shall select the said clerks, deputies and other assistants and shall fix their compensation. However, the combined salary or compensation of said clerks, deputies and assistants selected by the circuit clerk shall not exceed three thousand dollars (\$3,000) per annum. The circuit clerk shall have the right to discharge the said clerks, deputies, and assistants at will. The salary or compensation of the clerks, deputies and assistants shall be paid in equal monthly installments out of the general fund of Cherokee County upon separate warrants drawn in the same manner as other employees of Cherokee County are paid.

Section 2. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHEROKEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Joe Shaw, Jr., who, being by me first duly sworn deposes and says that during the times herein mentioned he was publisher of the Cherokee County Herald, a newspaper of general circulation published in Cherokee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 15, May 22, May 29, and June 5, all in the year 1963.

JOE SHAW, JR.,

Sworn to and subscribed before me June 10, 1963.

FAYRENE D. CHAMBLESS,
Title Notary Public.

RESOLUTION

The following resolution was introduced:

By Mr. McCorquodale:

H. J. R. 53. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That we do hereby consent and agree that the Senate Chamber and the Hall of the House of Representatives shall be reserved for use by that splendid organization, The American Legion Girls' State, all day on Thursday, June 13, and that no committee meetings or meetings of persons other than Girls' State shall be held therein on such date.

On motion of Mr. McCorquodale the rules were suspended and H.J.R. 53 was adopted.

BILLS ON THIRD READING

H. 415. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Marion County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Messrs.
Albea

Avery
Bailes

Baker (DeKalb)
Baker (Madison)

Bassett
Bevill

Blanton	Drake	Hogan	Perry
Bolton	Edwards (Escambia)	Holladay	Pierce
Boston	Edwards (Lowndes)	Ingram	Rast
Branyon	Etheredge	Jones (Covington)	Salter
Burnham	Faulk	Jones (Monroe)	Scurlock
Burns	Fields	McDermott	Sessions
Camp	Fite	Martin	Smith
Campbell (Tuscaloosa)	Gilmore	Mashburn	Steagall
Carr	Glass	Meeks	Stembridge
Cates	Grouby	Merrill	Sullivan
Cooper	Hankins	Moore	Turner (Crenshaw)
Crawford	Hannah	Nabors	Turner (Limestone)
Daniel	Harper	NeSmith	Turnham
Davis	Hawkins	Nettles	Vacca
Doggett	Heflin	Owens	Wood
Dominick	Hester	Pennington	Young
Downing			

—72

And the bill:

H. 416. Relating to Marion County; regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Messrs.	Cook	Heflin	Nettles
Avery	Cooper	Hester	Owens
Baker (DeKalb)	Crawford	Hogan	Pennington
Baker (Madison)	Daniel	Holladay	Perry
Bassett	Davis	Ingram	Pierce
Bevill	Doggett	Jones (Covington)	Rast
Blanton	Downing	Jones (Monroe)	Salter
Bolton	Drake	McCorquodale	Scurlock
Boston	Edwards (Escambia)	McDermott	Sessions
Bowers	Edwards (Lowndes)	Martin	Smith
Brown (Jefferson)	Engel	Mashburn	Steagall
Burns	Fite	Meade	Stembridge
Camp	Gilmore	Meeks	Sullivan
Campbell (Jackson)	Glass	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Moore	Turnham
Carr	Hankins	Nabors	Wood
Casey	Hannah	NeSmith	Young
Cates	Harper		

—69

And the bill:

H. 423. To amend Section 10, Act Number 250 of the Regular Session of the Legislature of the State of Alabama, 1959.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Messrs.	Carr	Grouby	Nettles
Albea	Casey	Hannah	Owens
Avery	Cates	Harper	Pennington
Bailes	Cook	Heflin	Perry
Baker (DeKalb)	Cooper	Hester	Pierce
Baker (Madison)	Crawford	Hogan	Posey
Barnett	Daniel	Holladay	Rast
Bassett	Davis	Ingram	Salter
Bevill	Doggett	Jones (Covington)	Scurlock
Blanton	Downing	Jones (Monroe)	Sessions
Bolton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Martin	Stembridge
Branyon	Edwards (Lowndes)	Mashburn	Sullivan
Brown (Jefferson)	Engel	Meade	Turner (Crenshaw)
Burnham	Faulk	Meeks	Turnham
Burns	Fields	Merrill	Vacca
Camp	Fite	Moore	Wood
Campbell (Jackson)	Gilmore	Nabors	Young
Campbell (Tuscaloosa)	Glass	NeSmith	

—78

And the bill:

H. 426. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Messrs.	Cates	Hannah	Nettles
Albea	Cook	Harper	Owens
Bailes	Cooper	Heflin	Pennington
Baker (DeKalb)	Crawford	Hester	Perry
Baker (Madison)	Daniel	Hogan	Pierce
Barnett	Davis	Holladay	Posey
Bassett	Doggett	Ingram	Rast
Bevill	Downing	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Burnham	Faulk	Meade	Sullivan
Burns	Fields	Meeks	Turner (Crenshaw)
Camp	Fite	Merrill	Turnham
Campbell (Jackson)	Gilmore	Moore	Vacca
Campbell (Tuscaloosa)	Glass	Nabors	Wood
Carr	Grouby	NeSmith	Young

—75

And the bill:

H. 427. Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Messrs.	Cates	Hannah	Owens
Albea	Cook	Harper	Pennington
Avery	Cooper	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Posey
Baker (Madison)	Davis	Holladay	Pruitt
Barnett	Doggett	Ingram	Rast
Bassett	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	McCorquodale	Sessions
Bolton	Edwards (Escambia)	McDermott	Smith
Boston	Edwards (Lowndes)	Martin	Steagall
Bowers	Engel	Mashburn	Stembridge
Branyon	Etheredge	Meade	Sullivan
Brown (Jefferson)	Faulk	Meeks	Turner (Crenshaw)
Burnham	Fields	Merrill	Turner (Limestone)
Burns	Fite	Moore	Turnham
Camp	Gilmore	Nabors	Vacca
Campbell (Jackson)	Glass	NeSmith	Wood
Campbell (Tuscaloosa)	Grouby	Netties	Young
Carr			

—80

And the bill:

H. 428. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.	Carr	Grouby	NeSmith
Albea	Cates	Hannah	Netties
Avery	Cook	Harper	Owens
Bailes	Cooper	Hawkins	Pennington
Baker (DeKalb)	Crawford	Hester	Perry
Baker (Madison)	Daniel	Hogan	Pierce
Barnett	Davis	Holladay	Posey
Bassett	Doggett	Ingram	Pruitt
Bevill	Dominick	Jones (Covington)	Rast
Blanton	Downing	Jones (Monroe)	Salter
Bolton	Drake	Little	Scurlock
Boston	Edington	McCorquodale	Smith
Bowers	Edwards (Escambia)	McDermott	Steagall
Branyon	Edwards (Lowndes)	Martin	Stembridge
Brown (Jefferson)	Engel	Mashburn	Sullivan
Burnham	Faulk	Meade	Turner (Crenshaw)
Burns	Fields	Meeks	Turner (Limestone)
Camp	Fite	Merrill	Vacca
Campbell (Jackson)	Gilmore	Moore	Wood
Campbell (Tuscaloosa)	Glass	Nabors	Young

—79

And the bill:

H. 429. Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Messrs.	Cates	Hankins	Nettles
Albea	Cook	Hannah	Owens
Bailes	Cooper	Harper	Pennington
Baker (DeKalb)	Crawford	Hawkins	Perry
Baker (Madison)	Daniel	Heflin	Pierce
Barnett	Davis	Hester	Posey
Bassett	Doggett	Hogan	Rast
Bevill	Dominick	Holladay	Salter
Blanton	Downing	Ingram	Scurlock
Bolton	Drake	Jones (Covington)	Slate
Boston	Edington	Jones (Monroe)	Smith
Bowers	Edwards (Escambia)	McCorquodale	Steagall
Branyon	Edwards (Lowndes)	McDermott	Stembridge
Brown (Jefferson)	Engel	Martin	Sullivan
Burnham	Etheredge	Mashburn	Turner (Crenshaw)
Burns	Faulk	Meade	Turner (Limestone)
Camp	Fields	Meeks	Turnham
Campbell (Jackson)	Fite	Merrill	Vacca
Campbell (Tuscaloosa)	Gilmore	Moore	Wood
Carr	Glass	Nabors	Young
Casey	Grouby	NeSmith	

—82

And the bill:

H. 430. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.	Brown (Jefferson)	Downing	Hankins
Albea	Burns	Drake	Hannah
Avery	Camp	Edington	Harper
Bailes	Campbell (Jackson)	Edwards (Escambia)	Heflin
Baker (DeKalb)	Campbell (Tuscaloosa)	Edwards (Lowndes)	Hester
Baker (Madison)	Carr	Engel	Hogan
Barnett	Cates	Etheredge	Holladay
Bassett	Cook	Faulk	Ingram
Blanton	Cooper	Fields	Jones (Covington)
Bolton	Crawford	Fite	Jones (Monroe)
Boston	Daniel	Gilmore	Little
Bowers	Davis	Glass	McCorquodale
Branyon	Doggett	Grouby	McDermott

Martin	NeSmith	Rast	Sullivan
Mashburn	Nettles	Salter	Turner (Crenshaw)
Meade	Owens	Scurlock	Turner (Limestone)
Meeks	Pennington	Slate	Turnham
Merrill	Perry	Smith	Vacca
Moore	Pierce	Steagall	Wood
Nabors	Posey	Stembridge	Young

—79

And the bill:

H. 435. To create a court of general sessions for Washington County in lieu of the inferior court created by Act No. 22, H. 201, Regular Session 1949, abolishing the inferior court, and conferring upon the court of general sessions jurisdiction in certain civil cases at law.

Was taken up.

Mr. Wood offered the following amendment to the bill, H. 435:

To amend H. B. 435 as follows:

Amend in Section 4 to read and appear in all places of said Section the figures \$5,000 in lieu and instead of \$3,600.

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Messrs.	Cates	Hankins	Owens
Albea	Cook	Hannah	Pennington
Avery	Cooper	Harper	Perry
Bailes	Crawford	Heflin	Pierce
Baker (DeKalb)	Daniel	Hester	Posey
Baker (Madison)	Davis	Hogan	Rast
Barnett	Doggett	Holladay	Salter
Bassett	Dominick	Ingram	Scurlock
Bevill	Downing	Jones (Covington)	Sessions
Blanton	Drake	Jones (Monroe)	Slate
Bolton	Edington	McCorquodale	Smith
Boston	Edwards (Escambia)	McDermott	Steagall
Bowers	Edwards (Lowndes)	Martin	Stembridge
Branyon	Engel	Mashburn	Sullivan
Brown (Jefferson)	Etheredge	Meade	Turner (Crenshaw)
Burnham	Faulk	Meeks	Turner (Limestone)
Burns	Fields	Merrill	Turnham
Camp	Fite	Moore	Vacca
Campbell (Jackson)	Gilmore	Nabors	Wood
Campbell (Tuscaloosa)	Glass	NeSmith	Young
Carr	Grouby	Nettles	

—82

And said bill, H. 435, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Messrs.	Bailes	Baker (Madison)	Bassett
Albea	Baker (DeKalb)	Barnett	Bevill

Blanton	Doggett	Holladay	Perry
Bolton	Dominick	Ingram	Pierce
Boston	Downing	Jones (Covington)	Posey
Bowers	Drake	Jones (Monroe)	Rast
Branyon	Edwards (Escambia)	Little	Salter
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Scurlock
Burnham	Engel	McDermott	Sessions
Burns	Etheredge	Martin	Slate
Camp	Fields	Mashburn	Smith
Campbell (Jackson)	Fite	Meade	Steagall
Campbell (Tuscaloosa)	Gilmore	Meeks	Stembridge
Carr	Glass	Merrill	Sullivan
Cates	Grouby	Moore	Turner (Crenshaw)
Collins	Hankins	Nabors	Turner (Limestone)
Cook	Hannah	NeSmith	Turnham
Cooper	Harper	Nettles	Vacca
Crawford	Heflin	Owens	Wood
Daniel	Hester	Pennington	Young
Davis	Hogan		

—81

And the bill:

H. 389. To amend further Section 1 of Act No. 691, S. 284, Regular Session 1951 (Acts 1951, p. 1192), entitled "An Act to fix the compensation of court reporters, and providing for the payment thereof," in relation to the compensation of the court reporters of the Thirteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Messrs.	Cates	Hankins	NeSmith
Albea	Cooper	Hannah	Nettles
Bailes	Crawford	Harper	Owens
Baker (DeKalb)	Daniel	Heflin	Pennington
Baker (Madison)	Davis	Hester	Perry
Barnett	Doggett	Hogan	Pierce
Bassett	Dominick	Holladay	Posey
Bevill	Downing	Ingram	Rast
Blanton	Drake	Jones (Covington)	Salter
Bolton	Edington	Jones (Monroe)	Scurlock
Boston	Edwards (Escambia)	Little	Sessions
Bowers	Edwards (Lowndes)	McCorquodale	Smith
Branyon	Engel	McDermott	Steagall
Brown (Jefferson)	Etheredge	Martin	Stembridge
Burnham	Faulk	Mashburn	Sullivan
Burns	Fields	Meade	Turner (Crenshaw)
Camp	Fite	Meeks	Turner (Limestone)
Campbell (Jackson)	Gilmore	Merrill	Turnham
Campbell (Tuscaloosa)	Glass	Moore	Wood
Carr	Grouby	Nabors	Young

—79

And the bill:

H. 404. Relating to counties having populations of not less than 300,000 nor more than 500,000; to provide further for fixing valuations of real property for ad valorem taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Messrs.	Collins	Hankins	Nettles
Albea	Cook	Hannah	Owens
Avery	Cooper	Harper	Pennington
Bailes	Crawford	Heflin	Perry
Baker (DeKalb)	Daniel	Hester	Pierce
Baker (Madison)	Davis	Hogan	Posey
Barnett	Doggett	Holladay	Rast
Bassett	Dominick	Ingram	Salter
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Drake	Jones (Monroe)	Sessions
Bolton	Edington	Little	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Engel	Martin	Stembridge
Brown (Jefferson)	Etheredge	Mashburn	Sullivan
Brown (Tuscaloosa)	Faulk	Meade	Turner (Crenshaw)
Burnham	Fields	Meeks	Turner (Limestone)
Burns	Fite	Merrill	Turnham
Camp	Gilmore	Moore	Vacca
Campbell (Tuscaloosa)	Glass	Nabors	Wood
Carr	Grouhy	NeSmith	Young
Cates			

—84

And the bill:

H. 336. Relating to counties having a population of not less than 60,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census who elect to come under the provisions of this Act as hereinafter provided; providing a more convenient and efficient method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, and the transfer of ownership of motor vehicles; creating a motor vehicle license department in each county to which this Act is made to apply as herein provided and providing for the appointment, qualification, terms, compensation, powers, duties and authority of the director and deputy director thereof; transferring to the motor vehicle license department, and the director thereof, all the powers, duties, responsibilities, liabilities and authority of the tax assessor, tax collector, and judge of probate relative to the registration, assessment for taxes, collection of ad valorem taxes, sale and distribution of tags for motor vehicles, the issuance of motor vehicle drivers licenses and temporary instruction permits, the transfer of ownership of motor vehicles, and the distribution of the fees, charges and commissions collected and received therefrom; providing an additional and alternative method for the registration, assessment for taxes, collection of ad valorem taxes, and sale and distribution of tags for motor vehicles; providing for clerical assistance, office space, equipment, supplies, and other conveniences necessary of the efficient operation and conduct of the motor vehicle license department; providing for the method by which a county to which this Act applies can elect to come within the provisions of said Act and the effective date thereof; providing the method by which a county may withdraw from the provisions of this Act and the effective date of withdrawal; and the abolishing of all laws and parts of laws in conflict with said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Messrs.	Cook	Harper	NeSmith
Albea	Crawford	Hawkins	Nettles
Bailes	Daniel	Heflin	Owens
Baker (Madison)	Davis	Hester	Pennington
Barnett	Doggett	Hogan	Perry
Bassett	Dominick	Holladay	Pierce
Bevill	Downing	Ingram	Salter
Blanton	Drake	Jones (Covington)	Scurlock
Bolton	Edington	Jones (Monroe)	Slate
Boston	Edwards (Escambia)	Little	Smith
Bowers	Edwards (Lowndes)	McCorquodale	Steagall
Branyon	Engel	McDermott	Stembridge
Brown (Jefferson)	Etheredge	Martin	Sullivan
Brown (Tuscaloosa)	Faulk	Mashburn	Turner (Crenshaw)
Burns	Fields	Meade	Turner (Limestone)
Camp	Fite	Meeks	Turnham
Campbell (Jackson)	Gilmore	Merrill	Vacca
Campbell (Tuscaloosa)	Glass	Moore	Wood
Carr	Grouby	Nabors	Young
Cates	Hannah		

—77

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turnham to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 283, was adopted.

PASSAGE OF H. 283

And the bill:

H. 283. To amend further Section 1 of Act No. 691, S. 284, approved September 5, 1951, (Acts of Alabama, p. 1192), entitled "An Act to fix the compensation of Court Reporters, and providing for the payment thereof."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 5.

Yeas:

Messrs.	Burns	Edwards (Escambia)	Ingram
Albea	Callahan	Edwards (Lowndes)	Jones (Covington)
Bailes	Camp	Engel	Jones (Monroe)
Baker (DeKalb)	Campbell (Jackson)	Etheredge	Little
Baker (Madison)	Cates	Faulk	McCorquodale
Bassett	Collins	Fite	McDermott
Bethea (B)	Cook	Gilmore	Martin
Bevill	Cooper	Glass	Mashburn
Blanton	Daniel	Grouby	Meade
Bolton	Davis	Hannah	Meeks
Boston	Doggett	Harper	Merrill
Bowers	Downing	Hester	Moore
Brown (Jefferson)	Drake	Hogan	Morrow
Burnham	Edington	Holladay	Nabors

Nettles	Posey	Steagall	Turnham
Owens	Scurlock	Stembridge	Vacca
Pennington	Sessions	Sullivan	Wood
Perry	Slate	Turner (Crenshaw)	Young
Pierce	Smith	Turner (Limestone)	

—74

Nays:

Messrs.	Barnett	Heflin	Salter
Avery	Crawford		

—5

MOTION TO RECESS LOST

The motion of Mr. Grouby that the House recess until 2:00 o'clock this afternoon was lost.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 260 and H. 262, was adopted.

PASSAGE OF H. 260

And the bill:

H. 260. To amend Section 103 of Title 13 of the Code of 1940 as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 51; Nays 30.

Yeas:

Messrs.	Callahan	Hannah	Owens
Bailes	Campbell (Jackson)	Hawkins	Perry
Baker (DeKalb)	Cantrell	Hester	Pierce
Baker (Madison)	Collins	Hogan	Posey
Bethea (B)	Cook	Holladay	Sessions
Bevill	Cooper	Jones (Covington)	Slate
Blanton	Dominick	Jones (Monroe)	Smith
Bolton	Downing	McDermott	Steagall
Boston	Drake	Mashburn	Stembridge
Bowers	Engel	Merrill	Sullivan
Brown (Jefferson)	Etheredge	Moore	Turner (Crenshaw)
Burnham	Fite	Morrow	Turnham
Burns	Gilmore	Nabors	Vacca

—51

Nays:

Messrs.	Carr	Fields	Meade
Albea	Cates	Glass	Meeks
Avery	Crawford	Grouby	Nettles
Barnett	Daniel	Hankins	Pennington
Branyon	Davis	Harper	Salter
Brown (Tuscaloosa)	Doggett	Heflin	Scurlock
Camp	Edwards (Escambia)	Ingram	Turner (Limestone)
Campbell (Tuscaloosa)	Edwards (Lowndes)	McCorquodale	

—30

PASSAGE OF H. 262

And the bill:

H. 262. To amend Section 29 of Title 13 of the Code of 1940 as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 27.

Yeas:

Messrs.	Campbell (Jackson)	Fite	NeSmith
Bailes	Carr	Gilmore	Owens
Baker (DeKalb)	Collins	Hannah	Perry
Baker (Madison)	Cook	Hawkins	Pierce
Bethea (B)	Cooper	Hogan	Sessions
Bevill	Dominick	Holladay	Slate
Blanton	Downing	Jones (Covington)	Smith
Bolton	Drake	Jones (Monroe)	Steagall
Boston	Edington	McDermott	Stembridge
Bowers	Edwards (Escambia)	Mashburn	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Turner (Crawshaw)
Burnham	Engel	Moore	Turnham
Burns	Etheredge	Morrow	Vacca
Callahan	Fields	Nabors	Wood

—55

Nays:

Messrs.	Campbell (Tuscaloosa)	Glass	Little
Albea	Cantrell	Grouby	Meeks
Avery	Cates	Hankins	Nettles
Barnett	Crawford	Harper	Pennington
Branyon	Daniel	Heflin	Salter
Brown (Tuscaloosa)	Davis	Hester	Scurlock
Camp	Doggett	Ingram	Turner (Limestone)

—27

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Smith to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 391, was adopted.

Yeas 66; Nays 12.

Yeas:

Messrs.	Burnham	Doggett	Hannah
Albea	Burns	Downing	Harper
Bailes	Callahan	Drake	Heflin
Baker (DeKalb)	Camp	Edington	Hogan
Bassett	Campbell (Jackson)	Edwards (Escambia)	Holladay
Bevill	Campbell (Tuscaloosa)	Edwards (Lowndes)	Ingram
Blanton	Cantrell	Engel	Jones (Covington)
Bolton	Carr	Faulk	Little
Boston	Cates	Fields	McDermott
Bowers	Cook	Gilmore	Martin
Brown (Jefferson)	Cooper	Glass	Meade
Brown (Tuscaloosa)	Daniel	Grouby	Merrill

Moore
Morrow
Nabors
NeSmith
Owens

Pennington
Perry
Pierce
Salter
Scurlock

Smith
Snell
Steagall
Stembridge
Sullivan

Turner (Crenshaw)
Turner (Limestone)
Vacca
Wood

—66

Nays:

Messrs.
Avery
Baker (Madison)
Barnett

Branyon
Crawford
Davis

Fite
Hester
Jones (Monroe)

Mashburn
Rast
Sessions

—12

UNANIMOUS CONSENT GRANTED

Mr. Slate requested unanimous consent to add his name as a co-author of the bill, H. 391, and it was so granted.

CONSIDERATION OF H. 391

H. 391. To provide that all paid firemen in cities or towns with a population of twenty-five thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year; and to provide for payment of double compensation for time worked in excess of 56 hours per average week.

Was taken up.

On motion of Mr. Hannah, the motion of Mr. Crawford to postpone further consideration of the bill, H. 391, until the eighteenth legislative day, was laid upon the table.

Yeas 56; Nays 40.

Yeas:

Messrs.
Albea
Avery
Bailes
Baker (DeKalb)
Bassett
Bevill
Blanton
Bolton
Boston
Bowers
Brown (Tuscaloosa)
Burnham
Burns
Callahan

Camp
Campbell (Jackson)
Campbell (Tuscaloosa)
Cantrell
Carr
Casey
Cook
Cooper
Cornett
Davis
Downing
Drake
Edington
Edwards (Escambia)

Edwards (Lowndes)
Engel
Gilmore
Glass
Hannah
Harper
Hawkins
Heflin
Hogan
Jones (Covington)
McCorquodale
McDermott
Meade
Merrill

Moore
Nabors
Owens
Perry
Rogers
Scurlock
Slate
Smith
Steagall
Stembridge
Sullivan
Turner (Limestone)
Vacca
Wood

—56

Nays:

Messrs.
Baker (Madison)
Barnett
Betha (B)

Branyon
Brown (Jefferson)
Cates
Crawford

Daniel
Doggett
Dominick
Etheredge

Faulk
Fite
Goldthwaite
Grouby

Hain	Mashburn	Pierce	Sessions
Hankins	Meeks	Posey	Snell
Hester	Morrow	Pruitt	Thomas
Ingram	NeSmith	Rast	Turner (Crenshaw)
Jones (Monroe)	Nettles	Reynolds	Turnham
Little	Pennington	Salter	Young
Martin			

—40

Mr. Crawford offered the following amendment to the bill, H. 391:

AMENDMENT TO H. B. 391

Amend the title of H. B. 391 by deleting the words "twenty-five-thousand and inserting in lieu thereof the words "two hundred thousand". Also amend the title of said bill by placing a period after the word "year" in line 4 and deleting all the words following the word "year".

Amend Section 1 of said bill by deleting the words and figures "twenty-five thousand (25,000)" and inserting in lieu thereof the words and figures "two hundred thousand (200,000)."

Further amend H. B. 391 by deleting Section 3 in its entirety and re-number Sections 4, 5 and 6 to read 3, 4, and 5 respectively.

On motion of Mr. Hannah the amendment offered by Mr. Crawford was laid upon the table.

Yeas 54; Nays 28.

Yeas:

Messrs.	Campbell (Jackson)	Glass	Perry
Albea	Campbell (Tuscaloosa)	Hannah	Pierce
Bailes	Carr	Hawkins	Rast
Baker (DeKalb)	Casey	Heflin	Rogers
Bassett	Collins	Hogan	Scurlock
Bevill	Davis	Holladay	Slate
Bolton	Doggett	Little	Smith
Boston	Downing	McDermott	Snell
Bowers	Drake	Meade	Stembridge
Brown (Tuscaloosa)	Edwards (Escambia)	Merrill	Sullivan
Burnham	Edwards (Lowndes)	Moore	Turner (Limestone)
Burns	Engel	Nabors	Vacca
Callahan	Faulk	Nettles	Wood
Camp	Gilmore	Owens	

—54

Nays:

Messrs.	Dominick	Hester	NeSmith
Avery	Edington	Ingram	Posey
Baker (Madison)	Fite	Jones (Covington)	Pruitt
Barnett	Goldthwaite	Jones (Monroe)	Reynolds
Branyon	Grouby	Locke	Sessions
Brown (Jefferson)	Hankins	Martin	Thomas
Cantrell	Harper	Mashburn	Young
Cornett			

—28

RECESS

On motion of Mr. Grouby the House recessed until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 3:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 51. Expressing appreciation to the Birmingham Chamber of Commerce and the Jefferson County Delegation for their "Dixieland Supper."

Also:

H. J. R. 52. Relative to the death of Honorable John Milton Snodgrass.

J. E. SPEIGHT,
Secretary.

POINTS OF PERSONAL PRIVILEGE

Messrs. Cornett, Hain and Locke requested as a matter of personal privilege that the Journal show that they were temporarily out of the House when the bills, H. 260, H. 262 and H. 283, were up for passage. They requested that the Journal show that had they been present they would have voted "yea" on the passages.

Mr. Rogers requested as a matter of personal privilege that the Journal show that he was temporarily out of the House when the bills, H. 260, H. 262 and H. 404, were up for passage. He requested that the Journal show that had he been present he would have voted "yea" on the passages.

Mr. Powell requested as a matter of personal privilege that the Journal show that he was temporarily out of the House when the bills, H. 260, H. 262 and H. 283, were up for passage. He requested that the Journal show that had he been present he would have voted "nay" on the passages.

UNANIMOUS CONSENT GRANTED

Messrs. Burns and Drake requested unanimous consent to add their names as co-authors of the bill, H. 391, and it was so granted.

CONSIDERATION OF H. 391 RESUMED

H. 391. To provide that all paid firemen in cities or towns with a population of twenty-five thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year; and to provide for payment of double compensation for time worked in excess of 56 hours per average week.

Was again taken up.

Mr. Cornett offered the following amendment to the bill, H. 391:

AMENDMENT TO H. B. 391

Amend the caption of H. B. 391 by deleting the words "twenty-five thousand" wherever they appear and inserting in lieu thereof the words "thirty thousand."

Amend Section 1 of said bill by deleting the words and figures "twenty-five thousand (25,000)" wherever they appear and inserting in lieu thereof the words and figures "thirty thousand (30,000)."

And the amendment was adopted.

Yeas 70; Nays 9.

Yeas:

Messrs.	Cornett	Harper	Owens
Albea	Crawford	Hawkins	Perry
Bailes	Davis	Heflin	Powell
Baker (DeKalb)	Dominick	Hogan	Pruitt
Baker (Madison)	Downing	Holladay	Reynolds
Barnett	Drake	Ingram	Rogers
Bassett	Edington	Jones (Monroe)	Scurlock
Bethea (B)	Edwards (Escambia)	Locke	Sessions
Bevill	Edwards (Lowndes)	McCorquodale	Slate
Boston	Etheredge	McDermott	Smith
Bowers	Faulk	Martin	Steagall
Brown (Tuscaloosa)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Campbell (Jackson)	Glass	Moore	Teel
Campbell (Tuscaloosa)	Goldthwaite	Morrow	Thomas
Carr	Grouby	Nabors	Turner (Limestone)
Cates	Hain	NeSmith	Wood
Cooper	Hannah	Nettles	

—70

Nays:

Messrs.	Hankins	Little	Pierce
Avery	Hester	Pennington	Posey
Blanton	Jones (Covington)		

—9

Mr. Nettles offered the following amendment to the bill, H. 391, as amended:

AMENDMENT TO H. B. 391

Amend H.B. 391 as follows:

In line 4 of the caption delete the words "double compensation" and insert in lieu thereof the words "time and half-time pay".

Also in Section 3 in line 3 delete the word "twice" and insert in lieu thereof the words "time and half".

And the amendment was adopted.

Yeas 83; Nays 3.

Yeas:

Messrs.	Bailes	Baker (Madison)	Bassett
Albea	Baker (DeKalb)	Barnett	Bethea (B)

Bevill	Drake	Ingram	Posey
Blanton	Edington	Jones (Monroe)	Powell
Boston	Edwards (Escambia)	Little	Pruitt
Bowers	Engel	Locke	Rast
Brown (Tuscaloosa)	Etheredge	McCorquodale	Reynolds
Burnham	Faulk	McDermott	Rogers
Burns	Fields	Martin	Salter
Campbell (Jackson)	Fite	Meade	Scurlock
Campbell (Tuscaloosa)	Glass	Meeks	Sessions
Cantrell	Goldthwaite	Merrill	Slate
Carr	Grouby	Moore	Smith
Cates	Hain	Morrow	Steagall
Cooper	Hankins	Nabors	Stembridge
Cornett	Hannah	NeSmith	Sullivan
Crawford	Harper	Nettles	Teel
Daniel	Hawkins	Owens	Thomas
Davis	Heflin	Pennington	Turner (Limestone)
Dominick	Hogan	Perry	Vacca
Downing	Holladay	Pierce	Wood

—83

Nays:

Messrs.	Avery	Hester	Jones (Covington)
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—3

Mr. Meeks offered the following amendment to the bill, H. 391, as amended:

AMENDMENT TO H. B. 391

Amend the title of H. B. 391 by placing a period after the word "year" in line 4 and deleting all the words following the word "year."

Further amend H. B. 391 by deleting Section 3 in its entirety and re-number Sections 4, 5, and 6 to read 3, 4, and 5 respectively.

And the amendment was adopted.

Yeas 80; Nays 3.

Yeas:

Messrs.	Cooper	Hannah	Pierce
Albea	Cornett	Harper	Posey
Avery	Crawford	Hawkins	Powell
Bailes	Daniel	Hester	Pruitt
Baker (DeKalb)	Davis	Hogan	Rast
Baker (Madison)	Dominick	Holladay	Reynolds
Barnett	Downing	Ingram	Salter
Bassett	Drake	Locke	Scurlock
Betha (B)	Edwards (Escambia)	McCorquodale	Sessions
Bevill	Edwards (Lowndes)	McDermott	Slate
Boston	Engel	Meade	Smith
Bowers	Etheredge	Meeks	Steagall
Brown (Tuscaloosa)	Faulk	Merrill	Stembridge
Burnham	Fields	Moore	Sullivan
Burns	Fite	Morrow	Teel
Camp	Glass	Nabors	Thomas
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Owens	Turnham
Cantrell	Hain	Pennington	Vacca
Carr	Hankins	Perry	Wood
Cates			

—80

Nays:

Messrs.	Blanton	Jones (Covington)	Rogers	—3
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And said bill, H. 391, as thus amended, was then read a third time at length and passed.

Yeas 69; Nays 19.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Hain	Owens
Albea	Cantrell	Hannah	Perry
Bailes	Carr	Harper	Posey
Baker (DeKalb)	Cates	Hawkins	Powell
Bassett	Cooper	Heflin	Reynolds
Bethea (B)	Cornett	Hogan	Rogers
Bethea (M)	Daniel	Jones (Covington)	Salter
Bevill	Davis	Jones (Monroe)	Scurlock
Blanton	Downing	Locke	Slate
Bolton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Meade	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Meeks	Sullivan
Burnham	Engel	Merrill	Turner (Limestone)
Burns	Etheredge	Moore	Turnham
Callahan	Fields	Nabors	Vacca
Camp	Glass	Nettles	Wood
Campbell (Jackson)	Grouby		—69

Nays:

Messrs.	Fite	Martin	Rast
Avery	Goldthwaite	NeSmith	Sessions
Baker (Madison)	Hester	Pennington	Teel
Barnett	Ingram	Pierce	Thomas
Crawford	Little	Pruitt	Young
			—19

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McDermott to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 247, was adopted.

PASSAGE OF H. 247

And the bill:

H. 247. To amend further Code of Alabama 1940, Title 8, Section 161, in relation to minimum weight requirements in taking shrimp from the territorial waters of Alabama for commercial purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Messrs.	Avery	Baker (DeKalb)	Barnett
Albea	Bailes	Baker (Madison)	Bassett

Bethea (B)	Downing	Ingram	Posey
Bevill	Edington	Jones (Covington)	Powell
Blanton	Edwards (Escambia)	Jones (Monroe)	Pruitt
Bolton	Edwards (Lowndes)	Little	Rast
Boston	Engel	Locke	Reynolds
Bowers	Faulk	McCorquodale	Rogers
Brown (Tuscaloosa)	Fields	McDermott	Salter
Burnham	Fite	Martin	Scurlock
Burns	Glass	Meade	Sessions
Camp	Goldthwaite	Merrill	Smith
Campbell (Jackson)	Grouby	Moore	Steagall
Campbell (Tuscaloosa)	Hain	Morrow	Teel
Carr	Hankins	Nabors	Thomas
Collins	Hannah	NeSmith	Turner (Crenshaw)
Cooper	Harper	Nettles	Turner (Limestone)
Cornett	Hawkins	Owens	Turnham
Crawford	Heflin	Pennington	Vacca
Daniel	Hester	Perry	Wood
Davis	Hogan	Pierce	Young
Dominick	Holladay		

RESOLUTION

The following resolution was introduced:

By Messrs. Bethea (M) and Brewer:

H. J. R. 54. WHEREAS, On April 18, 1961, four Alabama citizens, Thomas Willard Ray, Leo F. Baker, Riley W. Shamburger, and Wade Carroll Gray, lost their lives at the Bay of Pigs in Cuba.

AND WHEREAS, These four men were at the time voluntarily engaged in a virtually hopeless air mission for which they could expect neither acclaim nor fame.

AND WHEREAS, These men had been invited by representatives of their government to take part in the mission in which they lost their lives.

AND WHEREAS, Indecision at the highest levels of government had already apparently doomed the operation, these four men did not flinch from the dangers that faced them.

AND WHEREAS, Their bodies still lie in unknown graves in a foreign land.

AND WHEREAS, There has been no public recognition by their government of the heroic part that these four men played in the deadly fight against our Communist enemies.

THEREFORE: BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That

1. This Legislature feels that the service rendered to their country by Thomas Willard Ray, Leo F. Baker, Riley W. Shamburger, and Wade Carroll Gray was in the very finest tradition of our beloved state.

2. That the families of these four men are to be commended for the heroism and patriotism of their husbands and fathers.

3. That the people of the State of Alabama shall be forever indebted for the supreme sacrifice made by these four men. ALSO,

4. That an appropriately framed and inscribed copy of this resolution shall be presented to each of the families involved.

5. That the Governor of the State of Alabama is hereby requested to present the framed copies of this Resolution to the families of these four men at an appropriate ceremony.

6. That upon receipt from the Governor of information as to time and place of the presentation ceremony, the Clerk of the House of Representatives shall contact the families of the four men and invite them to participate.

On motion of Mr. Bethea (M) the rules were suspended and H. J. R. 54 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 424, was adopted.

CONSIDERATION OF H. 424

And the bill:

H. 424. To create in the State Highway Department a legal division, to provide for a chief counsel, assistant counsel and other personnel thereof, and to prescribe the functions and duties of such division and such counsel.

Was taken up.

Mr. Turner (Crenshaw) offered the following substitute for the bill, H. 424:

SUBSTITUTE FOR H. B. 424

A BILL TO BE ENTITLED AN ACT

To create in the State Highway Department a legal division, to provide for a chief counsel, assistant counsel and other personnel thereof, to prescribe the functions and duties of such division and such counsel, to provide for the expenses of such office and to provide for the salaries of such counsel and such assistants.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. There is hereby established and created in the State Highway Department a legal division, which shall be headed by and be under the direction, supervision and control of an officer who shall be designated as chief counsel for the State Highway Department, to be appointed by the highway Director with the approval of the attorney general, subject to provisions of the state merit system laws.

Section 2. The highway director, with the approval of the attorney general, shall be authorized, subject to the provisions of the state merit system law, to appoint not more than five assistant counsel as may be necessary to transact the legal business of the state highway department. The chief counsel and the assistant counsel shall each be commissioned as an assistant attorney general and take the oath required of other assistants of the attorney general. The chief counsel, and the assistant counsel and their stenogra-

phic and clerical assistants shall constitute the legal division of the state highway department.

Section 3. The salaries of the chief counsel and assistant counsel shall be fixed in accordance with the merit system pay plan for assistant attorneys general and shall be paid as the salaries of other state officials and employees are paid from funds appropriated or otherwise available to the state highway department.

Section 4. The chief counsel and the assistant counsel shall be furnished with offices, necessary stenographic and clerical help, subject to the provisions of the state merit system law, and office equipment, stationery and postage, and shall be allowed reasonable travelling expenses, when travelling on business of the state, all to be paid by the state highway department from funds appropriated or otherwise available therefor.

Section 5. The salaries of the chief counsel, assistant counsel, stenographic and clerical help and other expenses of the legal division shall be charged so far as practicable to the division or function of the State Highway Department for which the expense was incurred.

Section 6. The highway director, with the approval of the governor, may retain such local counsel as may be necessary or desirable to acquire rights of way and to assist in condemnation proceedings for state and interstate highways. Such local counsel shall be paid in accordance with a uniform fee schedule, and such uniform fee schedule shall be determined by the highway director, with the approval of the governor, provided that this compensation shall be paid from funds available for and as part of the cost of the acquisition of such rights of way.

Section 7. The functions and duties of the legal division of the state highway department shall include the following: (1) to advise the state highway director and other personnel of the state highway department on the legal aspects of all highway department business; (2) to examine and advise as to the legality of all contracts and agreements entered into by the state highway department or the highway director; (3) to take all legal action necessary or desirable in the acquisition of rights of way for state and interstate highways; (4) to appear in court as attorney for the state of Alabama and the state highway department in the acquisition of rights of way for state and interstate highways; (5) to represent the state highway department and the state highway director in all legal proceedings to which the state highway department or the state highway director is a party.

Section 8. The chief counsel and assistant counsel shall devote their full time to the state highway department and shall not, during their incumbency in office, engage in the private practice of law.

Section 9. This act shall take effect immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 87; Nays 3.

Yeas:

Messrs.	Bevill	Burnham	Collins
Albea	Blanton	Burns	Cook
Raker (DeKalb)	Bolton	Callahan	Cooper
Baker (Madison)	Boston	Camp	Cornett
Bassett	Bowers	Campbell (Jackson)	Crawford
Bethea (B)	Brown (Jefferson)	Carr	Daniel
Bethea (M)	Brown (Tuscaloosa)	Cates	Dominick

Downing	Hannah	Meade	Salter
Drake	Harper	Meeks	Scurlock
Edington	Hawkins	Merrill	Sessions
Edwards (Escambia)	Heflin	Moore	Smith
Edwards (Lowndes)	Hester	Nabors	Steagall
Engel	Hogan	NeSmith	Stembridge
Faulk	Holladay	Nettles	Sullivan
Fields	Ingram	Owens	Teel
Fite	Jones (Covington)	Pennington	Thomas
Gilmore	Jones (Monroe)	Pierce	Turner (Crenshaw)
Glass	Little	Powell	Turner (Limestone)
Goldthwaite	Locke	Pruitt	Turnham
Grouby	McCorquodale	Rast	Vacca
Hain	McDermott	Reynolds	Wood
Hankins	Martin	Rogers	Young

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Nays:

Messrs.	Bailes	Etheredge	Perry
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—3

UNANIMOUS CONSENT GRANTED

Mr. Morrow requested unanimous consent to have his name removed as a co-author of the bill, H. 424, and it was so granted.

Mr. Perry requested unanimous consent to have his name removed as a co-author of the bill, H. 424, and it was so granted.

POINT OF PERSONAL PRIVILEGE

Mr. Gilmore requested as a matter of personal privilege that the Journal show that had he voted on the bill, H. 391, he would have voted "yea".

CONSIDERATION OF H. 424 RESUMED

H. 424. To create in the State Highway Department a legal division, to provide for a chief counsel, assistant counsel and other personnel thereof, and to prescribe the functions and duties of such division and such counsel.

As amended, was again taken up.

On motion of Mr. Turner (Crenshaw), the motion of Mr. Perry to postpone further consideration of the bill, H. 424, as amended, until the next legislative day, was laid upon the table.

Yeas 54; Nays 36.

Yeas:

Messrs.	Burns	Davis	Grouby
Avery	Callahan	Drake	Hain
Baker (DeKalb)	Camp	Edwards (Escambia)	Hankins
Baker (Madison)	Carr	Edwards (Lowndes)	Harper
Bassett	Cates	Engel	Hawkins
Bevill	Cook	Faulk	Heflin
Blanton	Cornett	Fite	Hester
Bolton	Crawford	Gilmore	Jones (Monroe)
Brown (Tuscaloosa)	Daniel	Glass	Locke

McCorquodale	Nabors	Scurlock	Stembridge
McDermott	Owens	Slate	Turner (Cronshaw)
Martin	Posey	Smith	Turnham
Merrill	Reynolds	Snell	Young
Moore	Salter	Steagall	

—54

Nays:

Messrs.	Collins	Ingram	Pierce
Albea	Dominick	Jones (Covington)	Powell
Bailes	Downing	Little	Pruitt
Barnett	Edington	Meeks	Rast
Bethea (M)	Etheredge	Morrow	Rogers
Boston	Fields	NeSmith	Sessions
Bowers	Goldthwaite	Nettles	Sullivan
Brown (Jefferson)	Hannah	Pennington	Teel
Burnham	Hogan	Perry	Turner (Limestone)
Campbell (Jackson)			

—36

And said bill, H. 424, as amended, was then read a third time at length and passed, and sent forthwith to the Senate without engrossment.

Yeas 82; Nays 12.

Yeas:

Messrs.	Carr	Hain	Owens
Albea	Cates	Hankins	Pierce
Avery	Cook	Hannah	Posey
Baker (DeKalb)	Cooper	Harper	Powell
Baker (Madison)	Cornett	Hawkins	Rast
Barnett	Crawford	Heflin	Reynolds
Bassett	Daniel	Hester	Salter
Bethea (B)	Davis	Hogan	Scurlock
Bethea (M)	Downing	Holladay	Slate
Bevill	Drake	Jones (Covington)	Smith
Blanton	Edington	Jones (Monroe)	Snell
Bolton	Edwards (Escambia)	Locke	Steagall
Boston	Edwards (Lowndes)	McCorquodale	Stembridge
Bowers	Engel	McDermott	Sullivan
Brown (Jefferson)	Etheredge	Martin	Teel
Brown (Tuscaloosa)	Faulk	Meeks	Turner (Cronshaw)
Burnham	Fite	Merrill	Turnham
Burns	Gilmore	Moore	Vacca
Callahan	Glass	Nabors	Wood
Camp	Goldthwaite	NeSmith	Young
Campbell (Jackson)	Grouby	Nettles	

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Nays:

Messrs.	Ingram	Pennington	Rogers
Bailes	Little	Perry	Sessions
Collins	Morrow	Pruitt	Turner (Limestone)
Dominick			

—12

UNANIMOUS CONSENT GRANTED

Mr. Sessions requested unanimous consent to have his name removed as a co-author of the bill, H. 424, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 364, was adopted.

PASSAGE OF H. 364

And the bill:

H. 364. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the retirement of all outstanding revenue securities heretofore issued by said department for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the state; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to authorize said department, with the approval of the Governor, to issue refunding bonds for the purpose of refunding any bonds issued hereunder, paying any premium necessary to redeem or retire the bonds to be refunded, and paying any expenses of issuing the refunding bonds; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said department; to designate the revenues from which the principal of and the interest on bonds issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the department to invest in direct obligations of the United States of America any funds available for the purpose of retiring any bonds issued hereunder and said outstanding revenue securities; to provide for the retirement of such outstanding revenue securities and such bonds by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said department while any said bonds are outstanding.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs.	Baker (Madison)	Bevill	Brown (Jefferson)
Albee	Barnett	Blanton	Brown (Tuscaloosa)
Avery	Bassett	Bolton	Burnham
Bailes	Bethea (B)	Boston	Callahan
Baker (DeKalb)	Bethea (M)	Bowers	Camp

Campbell (Jackson)	Faulk	McCorquodale	Reynolds
Campbell (Tuscaloosa)	Fields	McDermott	Rogers
Carr	Fite	Martin	Salter
Cates	Gilmore	Meade	Scurlock
Collins	Glass	Meeks	Sessions
Cook	Grouby	Merrill	Slate
Cooper	Hain	Moore	Smith
Cornett	Hankins	Nabors	Snell
Crawford	Hannah	NeSmith	Steagall
Daniel	Harper	Nettles	Stembridge
Dominick	Heflin	Owens	Sullivan
Downing	Hester	Pennington	Teel
Drake	Hogan	Perry	Turner (Limestone)
Edington	Ingram	Pierce	Turnham
Edwards (Escambia)	Jones (Covington)	Posey	Vacca
Edwards (Lowndes)	Jones (Monroe)	Powell	Wood
Engel	Little	Pruitt	Young
Etheredge	Locke	Rast	

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Drake to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 274, was adopted.

PASSAGE OF H. 274

And the bill:

H. 274. To provide for paid leaves of absence for school bus drivers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 1.

Yeas:

Messrs.	Cates	Hankins	Perry
Albea	Collins	Hannah	Pierce
Avery	Cook	Harper	Posey
Bailes	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Daniel	Holladay	Rogers
Bassett	Davis	Ingram	Salter
Bethea (B)	Downing	Jones (Covington)	Scurlock
Bethea (M)	Drake	Jones (Monroe)	Sessions
Bevill	Edington	Little	Slate
Blanton	Edwards (Escambia)	Locke	Smith
Bolton	Edwards (Lowndes)	McCorquodale	Snell
Boston	Engel	McDermott	Steagall
Bowers	Etheredge	Martin	Stembridge
Brown (Jefferson)	Faulk	Meade	Sullivan
Brown (Tuscaloosa)	Fields	Meeks	Teel
Burnham	Fite	Merrill	Thomas
Burns	Gilmore	Moore	Turner (Limestone)
Callahan	Glass	Nabors	Turnham
Camp	Goldthwaite	NeSmith	Vacca
Campbell (Jackson)	Grouby	Nettles	Wood
Carr	Hain	Pennington	Young

—91

Nay:

Mr. Rast

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Holladay to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 403, was adopted.

CONSIDERATION OF H. 403

And the bill:

H. 403. Relating to fish; authorizing the Director of Conservation, under certain conditions, to promulgate rules and regulations for the taking of non-game fish from the public waters of this State by the use of wire baskets; levying a privilege license tax on each such wire basket; prohibiting the sale of fish so taken; repealing all laws and especially local laws in conflict herewith, and prescribing the penalty for violation of this Act.

Was taken up.

On motion of Mr. Powell, further consideration of the bill, H. 403, was postponed until the next legislative day.

Yeas 55; Nays 23.

Yeas:

Messrs.	Cornett	Jones (Covington)	Pierce
Albea	Daniel	Jones (Monroe)	Posey
Avery	Davis	Little	Powell
Baker (Madison)	Edwards (Escambia)	McCorquodale	Pruitt
Barnett	Edwards (Lowndes)	Martin	Rast
Bassett	Etheredge	Meade	Reynolds
Bethea (B)	Faulk	Meeks	Rogers
Bolton	Glass	Merrill	Slate
Burnham	Grouby	Moore	Steagall
Callahan	Hain	Morrow	Sullivan
Camp	Harper	Nettles	Thomas
Campbell (Jackson)	Hester	Owens	Turner (Limestone)
Cates	Hogan	Pennington	Vacca
Cooper	Ingram	Perry	Wood

—55

Nays:

Messrs.	Burns	Fite	McDermott
Bailes	Campbell (Tuscaloosa)	Hankins	Nabors
Baker (DeKalb)	Carr	Hannah	NeSmith
Bevill	Downing	Heflin	Salter
Boston	Edington	Holladay	Smith
Brown (Tuscaloosa)	Fields	Locke	Teel

—23

RESOLUTION

The following resolution was introduced:

By Mr. Crawford:

H. J. R. 55. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That when the two Houses adjourn today, they adjourn to meet again on Tuesday, June 18, 1963, at 12:00 noon.

The motion of Mr. Crawford to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 55 was lost.

Yeas 35; Nays 49.

Yeas:

Messrs.	Cantrell	Fite	Reynolds
Avery	Collins	Hester	Salter
Baker (Madison)	Cook	Hogan	Scurlock
Barnett	Cooper	Ingram	Snell
Bevill	Crawford	McCorquodale	Stembridge
Brown (Jefferson)	Davis	McDermott	Sullivan
Brown (Tuscaloosa)	Edwards (Escambia)	Nettles	Teel
Burnham	Engel	Pennington	Vacca
Campbell (Tuscaloosa)	Faulk	Powell	Young

—35

Nays:

Messrs.	Carr	Heflin	Ferry
Albea	Cates	Holladay	Pierce
Baker (DeKalb)	Cornett	Jones (Covington)	Pruitt
Bassett	Daniel	Jones (Monroe)	Rast
Bethea (B)	Downing	Locke	Rogers
Bethea (M)	Drake	Martin	Sessions
Blanton	Edgington	Meeks	Slate
Bolton	Etheredge	Merrill	Smith
Boston	Glass	Moore	Steagall
Bowers	Grouby	Morrow	Thomas
Burns	Hain	NeSmith	Turner (Limestone)
Camp	Hannah	Owens	Wood
Campbell (Jackson)	Harper		

—49

And said resolution, H.J.R. 55, was read and referred to the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hogan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 188, was adopted.

CONSIDERATION OF H. 188

And the bill:

H. 188. Declaring the Intern and Resident Training Program of Mobile General Hospital, Mobile County, to be an integral part of the overall State educational program, and to make appropriations for such school.

Was taken up.

POINT OF PERSONAL PRIVILEGE

Mr. Goldthwaite requested as a matter of personal privilege that the Journal show that had he voted on the passage of the bills, H. 260 and H. 262, he would have voted "nay".

MOTION TO ADJOURN LOST

The motion of Mr. Hester that the House adjourn until Friday, June 14, 1963, at ten o'clock A.M. was lost.

CONSIDERATION OF H. 188 RESUMED

H. 188. Declaring the Intern and Resident Training Program of Mobile General Hospital, Mobile County, to be an integral part of the overall State educational program, and to make appropriations for such school.

Was again taken up.

And said bill, H. 188, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 6.

Yeas:

Messrs.	Crawford	Hester	Perry
Avery	Daniel	Hogan	Pierce
Baker (DeKalb)	Davis	Ingram	Posey
Bassett	Downing	Jones (Covington)	Powell
Bethea (B)	Drake	Jones (Monroe)	Pruitt
Bethea (M)	Edington	Locke	Rast
Bevill	Edwards (Escambia)	McCorquodale	Rogers
Blanton	Edwards (Lowndes)	McDermott	Scurlock
Bolton	Engel	Martin	Sessions
Boston	Etheredge	Meade	Smith
Bowers	Faulk	Meeks	Steagall
Brown (Jefferson)	Fields	Merrill	Sullivan
Burns	Fite	Morrow	Teel
Camp	Grouby	Nabors	Thomas
Campbell (Jackson)	Hain	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hannah	Nettles	Vacca
Collins	Harper	Owens	Wood
Cook	Heflin	Pennington	Young
Cooper			

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Nays:

Messrs.	Cornett	Salter	Snell
Burnham	Moore	Slate	

—6

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Wood to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 119 and H. 98, was adopted.

PASSAGE OF H. 119

And the bill:

H. 119. Prohibiting the hunting of deer at night, and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 1.

Yeas:

Messrs.	Collins	Hannah	Owens
Albea	Cook	Harper	Pennington
Avery	Cooper	Heflin	Perry
Bailes	Cornett	Hester	Pierce
Baker (DeKalb)	Crawford	Hogan	Posey
Barnett	Daniel	Holladay	Powell
Bassett	Davis	Ingram	Pruitt
Bethea (B)	Downing	Jones (Covington)	Rast
Bethea (M)	Drake	Little	Rogers
Bevill	Edington	Locke	Salter
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Smith
Boston	Engel	Martin	Sneli
Bowers	Etheredge	Mashburn	Steagall
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Thomas
Camp	Glass	Moore	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Morrow	Vacca
Campbell (Tuscaloosa)	Grouby	Nabors	Wood
Carr	Hain	NeSmith	Young
Cates	Hankins	Nettles	

—86

Nay:

Mr. Callahan

—1

PASSAGE OF H. 98

And the bill:

H. 98. To amend Section 92 of Title 8, Code of Alabama, which relates to hunting or trapping in daytime on the lands of another without permission so as to increase the penalty therefor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 11.

Yeas:

Messrs.	Bassett	Burnham	Cates
Bailes	Boston	Burns	Collins
Baker (DeKalb)	Bowers	Campbell (Tuscaloosa)	Cooper
Baker (Madison)	Brown (Jefferson)	Carr	Cornett

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Crawford	Hain	Meade	Reynolds
Davis	Hankins	Meeks	Rogers
Downing	Hannah	Moore	Sessions
Drake	Harper	Morrow	Slate
Edington	Heflin	Nabors	Smith
Edwards (Escambia)	Hester	NeSmith	Snell
Edwards (Lowndes)	Hogan	Owens	Steagall
Engel	Holladay	Pennington	Stembridge
Etheredge	Ingram	Perry	Sullivan
Faulk	Little	Pierce	Thomas
Fields	McCorquodale	Posey	Turner (Limestone)
Fite	McDermott	Powell	Vacca
Glass	Martin	Pruitt	Wood
Goldthwaite	Mashburn	Rast	Young
Grouby			

—72

Nays:

Messrs.	Bolton	Campbell (Jackson)	Nettles
Barnett	Callahan	Jones (Covington)	Salter
Bevill	Camp	Jones (Monroe)	Scurlock

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 123, was adopted.

PASSAGE OF H. 123

And the bill:

H. 123. To amend further Code 1940, Title 51, Section 2, relating to persons and property exempt from ad valorem taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Messrs.	Burns	Fields	Mashburn
Albea	Camp	Fite	Meade
Avery	Campbell (Jackson)	Glass	Meeks
Bailes	Campbell (Tuscaloosa)	Goldthwaite	Merrill
Baker (DeKalb)	Carr	Grouby	Moore
Baker (Madison)	Cates	Hain	Morrow
Barnett	Collins	Hankins	Nabors
Bassett	Cooper	Hannah	NeSmith
Bethea (B)	Cornett	Harper	Nettles
Bethea (M)	Crawford	Heflin	Owens
Bevill	Daniel	Hogan	Pennington
Blanton	Davis	Ingram	Pierce
Bolton	Downing	Jones (Covington)	Posey
Boston	Drake	Jones (Monroe)	Powell
Bowers	Edington	Little	Pruitt
Brown (Jefferson)	Edwards (Escambia)	Locke	Reynolds
Brown (Tuscaloosa)	Edwards (Lowndes)	McCorquodale	Rogers
Burnham	Etheredge	Martin	Salter

Scurlock
Sessions
Slate
Smith

Snell
Steagall
Stembridge
Sullivan

Teel
Thomas
Turner (Limestone)
Turnham

Vacca
Wood
Young

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Dominick to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 46, was lost.

Yeas 53; Nays 32.

Yeas:

Messrs.
Albea
Bailes
Bethea (B)
Bethea (M)
Blanton
Bowers
Brown (Jefferson)
Brown (Tuscaloosa)
Burnham
Burns
Carr
Collins
Cook

Cooper
Daniel
Davis
Dominick
Downing
Edington
Edwards (Escambia)
Edwards (Lowndes)
Etheredge
Faulk
Fields
Grouby
Hain
Harper

Heflin
Hogan
Ingram
Jones (Covington)
Jones (Monroe)
Locke
McCorquodale
McDermott
Mashburn
Meade
Meeks
Morrow
Nabors

NeSmith
Nettles
Owens
Perry
Posey
Rast
Rogers
Salter
Sessions
Smith
Sullivan
Turner (Limestone)
Vacca

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Nays:

Messrs.
Avery
Baker (DeKalb)
Barnett
Bevill
Bolton
Boston
Callahan
Camp

Campbell (Jackson)
Cates
Crawford
Drake
Fite
Glass
Goldthwaite
Hankins

Hannah
Holladay
Little
Martin
Merrill
Pierce
Powell
Scurlock

Slate
Snell
Steagall
Stembridge
Teel
Turnham
Wood
Young

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hogan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 187, was adopted.

PASSAGE OF H. 187

And the bill:

H. 187. Declaring the School of Nursing of Mobile General Hospital, Mobile County, to be an integral part of the overall state educational program, and to make appropriations for such school.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 4.

Yeas:

Messrs.	Cooper	Harper	Pierce
Bailes	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Bethea (B)	Downing	Ingram	Rast
Bethea (M)	Drake	Jones (Covington)	Reynolds
Bevill	Edington	Jones (Monroe)	Rogers
Blanton	Edwards (Escambia)	Locke	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Sessions
Boston	Engel	McDermott	Smith
Bowers	Etheredge	Mashburn	Steagall
Brown (Jefferson)	Faulk	Meeks	Stembridge
Burns	Fields	Merrill	Sullivan
Callahan	Fite	Nabors	Teel
Camp	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Grouby	Nettles	Vacca
Campbell (Tuscaloosa)	Hain	Owens	Wood
Collins	Hankins	Pennington	Young
Cook	Hannah	Perry	

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Nays:

Messrs.	Burnham	Slate	Snell
Barnett			

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Rogers to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 418, was adopted.

PASSAGE OF H. 418

And the bill:

H. 418. To make an appropriation to the use of the secretary of state to pay the cost of redesigning the great seal of the state in compliance with a directive of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Messrs.	Bevill	Campbell (Jackson)	Downing
Albea	Blanton	Campbell (Tuscaloosa)	Drake
Avery	Bolton	Cates	Edington
Bailes	Boston	Collins	Edwards (Escambia)
Baker (DeKalb)	Bowers	Cook	Edwards (Lowndes)
Baker (Madison)	Brown (Jefferson)	Cooper	Engel
Barnett	Brown (Tuscaloosa)	Cornett	Etheredge
Bassett	Burnham	Crawford	Faulk
Bethea (B)	Burns	Daniel	Fields
Bethea (M)	Camp	Davis	Fite

Glass	Little	Nettles	Sessions
Goldthwaite	Locke	Owens	Slate
Grouby	McCorquodale	Pennington	Smith
Hain	McDermott	Perry	Snell
Hankins	Martin	Pierce	Steagall
Hannah	Mashburn	Posey	Stembridge
Harper	Meade	Powell	Sullivan
Hawkins	Meeks	Pruitt	Teel
Heflin	Merrill	Rast	Turner (Limestone)
Hogan	Moore	Reynolds	Turnham
Holladay	Morrow	Rogers	Vacca
Ingram	Nabors	Salter	Wood
Jones (Covington)	NeSmith	Scurlock	Young
Jones (Monroe)			

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RESOLUTION

The following resolution was introduced:

By Mr. Owens:

H. J. R. 56. WHEREAS, the Etowah County Legislative delegation, composed of Senator George C. Hawkins, Representatives Ollie C. Nabors, Gary F. Burns, and W. E. Owens, Jr., in its official capacity, wish to commend the employees of the Goodyear Tire and Rubber Company on the outstanding achievements which they have accomplished in both the fields of safety and production, and

WHEREAS, through concerted effort on the part of all employees and their strict observance of safety rules and regulations which resulted in the Goodyear Tire & Rubber Company, Gadsden Plant, being awarded a certificate of merit and winning national recognition for outstanding safety achievements, and

WHEREAS, through the integrity, high morale, and concentrated efforts on the part of the aforementioned employees of the Goodyear Tire & Rubber Company's Gadsden Plant, a national record in the tire and manufacturing divisions of Goodyear Tire & Rubber Company has been achieved both in the quantity of production and the quality of the products manufactured, now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the employees of the Gadsden Plant of the Goodyear Tire & Rubber Company are highly commended for their strict adherence to the rules and regulations governing the operation of the Plant which has resulted in their obtaining national recognition for the Gadsden Plant.

BE IT FURTHER RESOLVED that the employees of the Gadsden Plant of the Goodyear Tire & Rubber Company should receive the approbation and whole-hearted esteem of all the citizens of Etowah County and the State of Alabama for the outstanding production record which they have maintained through a united and cooperative production system; and that due recognition by all the citizens of Etowah County is hereby made of their high morale and their integrity and experience, which has made these achievements possible, and of their important contributions to the social and economic life of the community.

RESOLVED ALSO, That copies of this resolution shall be sent to the Gadsden Times, the Mayor of the City of Gadsden, the manager of the Gadsden Plant of Goodyear Tire and Rubber Company, and the president of the Company at Akron, Ohio.

On motion of Mr. Owens the rules were suspended and H.J.R. 56 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Locke to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 355, was adopted.

PASSAGE OF H. 355

And the bill:

H. 355. To authorize the Governor, the Director of Finance, the President of Alabama Education Association, The General Manager Alabama Educational Television Commission, and the Legal Adviser to the Governor to become a public corporation for the purpose of acquiring land from the State or otherwise, for the purpose of constructing broadcasting stations, relay stations and any and all facilities necessary to create a state-wide coverage with Educational Television the cost of which shall not exceed three million dollars. The facilities to be rented to the Alabama Educational Television Commission and in order to provide funds therefor, to authorize said corporation to borrow money, issue and sell its bonds and pledge its income; to authorize the filing for record of an instrument reciting the issuance of said bonds, and the creation of said pledge as a lien on said income which filing will constitute constructive notice; to authorize the conveyance to said corporation of lands owned by the State; to confer on the corporation the power of eminent domain; to provide for the lease to and by officers, agencies, boards, commissions, corporations, school boards, universities and colleges of the State of Alabama and bureaus of the State of Alabama; and to provide that any properties of the corporation and the income therefrom and any securities issued and any income therefrom and any leases made and any lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that any securities issued by the corporation may be used as security for deposits of and for investment of public funds and shall constitute negotiable instruments; to authorize publication of notice of the resolution authorizing any securities and to specify a limitation of time thereafter for actions or defenses respecting said securities or pledge; to provide for dissolution of said corporation and conveyance of its properties to the State upon payment of said securities.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 1.

Yeas:

Messrs.	Brown (Jefferson)	Edington	Heflin
Albea	Burnham	Edwards (Escambia)	Hester
Avery	Callahan	Edwards (Lowndes)	Hogan
Bailes	Camp	Etheredge	Holladay
Baker (DeKalb)	Campbell (Jackson)	Faulk	Ingram
Baker (Madison)	Campbell (Tuscaloosa)	Fields	Little
Bassett	Carr	Fite	McCorquodale
Bethea (B)	Cates	Gilmore	McDermott
Bethea (M)	Cooper	Glass	Martin
Bevill	Cornett	Grouby	Mashburn
Blanton	Crawford	Hain	Meeks
Bolton	Daniel	Hannah	Merrill
Boston	Davis	Harper	Moore
Bowers	Downing	Hawkins	Nabors

Nettles	Powell	Scurlock	Steagall
Owens	Pruitt	Sessions	Turner (Limestone)
Pennington	Rast	Slate	Turnham
Perry	Reynolds	Smith	Vacca
Posey	Rogers	Snell	Young

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Nay:

Mr. Hankins

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 53. Relative to the use of the Senate Chamber and House of Representatives by Girls' State on June 13.

J. E. SPEIGHT,
Secretary.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Boston to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 331, was adopted.

PASSAGE OF H. 331

And the bill:

H. 331. To make an appropriation from the state treasury for the purpose of the further preservation and promotion of the Helen Keller Home as an historic shrine.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Messrs.	Burns	Edwards (Escambia)	Hester
Albea	Callahan	Edwards (Lowndes)	Hogan
Avery	Camp	Engel	Ingram
Bailes	Campbell (Jackson)	Faulk	Jones (Monroe)
Baker (DeKalb)	Campbell (Tuscaloosa)	Fields	Little
Baker (Madison)	Carr	Fite	McCorquodale
Barnett	Cates	Gilmore	McDermott
Bassett	Cook	Glass	Martin
Bethea (M)	Cooper	Grouby	Mashburn
Bevill	Cornett	Hain	Meade
Blanton	Daniel	Hankins	Merrill
Bolton	Davis	Hannah	Moore
Bowers	Downing	Harper	Morrow
Brown (Jefferson)	Drake	Hawkins	Nabors
Burnham	Edgington	Heflin	NeSmith

Nettles	Pruitt	Sessions	Thomas
Owens	Rast	Slate	Turner (Limestone)
Pennington	Reynolds	Smith	Turnham
Perry	Rogers	Snell	Vacca
Posey	Salter	Steagall	Wood
Powell	Scurlock	Stembridge	Young

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ADJOURNMENT

On motion of Mr. Teel the House adjourned until Friday, June 14, 1963, at ten o'clock A.M.

FOURTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 14, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Right Reverend Monsignor Malcolm J. Rafferty, Pastor, Saint Andrews Catholic Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Camp	Etheredge	Jones (Monroe)
Albea	Campbell (Jackson)	Faulk	Little
Avery	Campbell (Tuscaloosa)	Fields	Locke
Bailes	Cantrell	Fite	McCorquodale
Baker (DeKalb)	Carr	Gilmore	McDermott
Barnett	Casey	Glass	Mashburn
Bassett	Cates	Goldthwaite	Meade
Bethea (B)	Collins	Goodwyn	Meeks
Bethea (M)	Cook	Grouby	Merrill
Bevill	Cooper	Hain	Moore
Blanton	Cornett	Hankins	Morrow
Bolton	Daniel	Hannah	Nabors
Boston	Doggett	Harper	NeSmith
Bowers	Dominick	Hawkins	Nettles
Branyon	Downing	Heflin	Owens
Brown (Jefferson)	Drake	Hester	Paulk
Brown (Tuscaloosa)	Edington	Hogan	Perry
Burnham	Edwards (Escambia)	Holladay	Pierce
Burns	Edwards (Lowndes)	Ingram	Posey
Callahan	Engel	Jones (Covington)	Powell

Pruitt	Sessions	Stembridge	Turner (Limestone)
Rast	Slate	Sullivan	Turnham
Reynolds	Smith	Teel	Vacca
Rogers	Snell	Thomas	Wood
Salter	Steagall	Turner (Crenshaw)	Young
Scurlock			

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Nettles leave of absence was granted to Mr. Martin.

On motion of Mr. Cooper leave of absence was granted to Mr. Crawford.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirteenth legislative day and finds the same to be correct.

ALBERT P. BREWER.
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the thirteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 470. To make an additional appropriation for payment of expenses of the Legislature.

H. 222. To provide for the registration and licensing as "antique vehicles" of certain motor vehicles; prescribing the fee therefor; providing for the collection and disbursement thereof; exempting vehicles licensed under this Act from other motor vehicle licenses; and placing certain duties relative to the registration and licensing of such vehicles on the State Department of Revenue and the Commissioner thereof and on the several sheriffs of the State.

H. 278. To provide for refunds of taxes, licenses, or other charges paid to the superintendent of insurance through mistake.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 279. (With Amendment). Authorizing the superintendent of the

state department of insurance, when acting as agent or attorney for certain insurance companies, to collect a fee for accepting the service of legal process.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 168. To make an appropriation from the state treasury.

H. 165. Relating to revenue; to exempt from taxation the recordation of all deeds of trust executed to secure certain bond issues made for religious purposes.

H. 106. To provide for the payment of salaries of officers and employees of the State of Alabama and county health service employees every second Friday; amending Section 148, Title 41, Code of Alabama 1940.

H. 249. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 395. (With Amendment). To amend schedule 105 of the Revenue Act of 1935, codified as section 569 of Title 51 of the Code of 1940, and thereby to classify photographers for privilege license tax purposes, and to establish the amount of the privilege license tax.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 96. To amend Title 51, Section 646, Code of Alabama, 1940, as amended.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 235. (With Amendment). To provide for the issuance of special motor vehicle license tags or plates to certain disabled veterans.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 465. To amend Section 195, Title 46, Code of Alabama (1940), as amended, by providing an increase from ten dollars to thirty dollars for each day actually employed in the discharge of official duties as compensation to the members of the state board of optometry.

H. 406. To amend Sections 210 and 211, Title 46, Code of Alabama (1940), as amended, which relates to the practice of optometry in stores or business establishments, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 407. (With Amendment). To amend Sections 197, 199, 200 and 205, Title 46, Code of Alabama (1940), as amended, by providing for an increase from twenty-five dollars to one hundred dollars for examination for a license to practice optometry, and to increase the fee from thirty-five dollars to one hundred fifty dollars for issue of a license to an Optometrist coming from another state to this state, and for an increase from twelve dollars to not more than fifty dollars to renew annually the license to practice optometry.

Mr. Hawkins, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 294. Further amending Section 9 of Title 22, Code of Alabama 1940, relating to Public Health.

H. 297. Relating to the preservation and protection of the public health and providing for the registration of sanitarians and sanitarians-in-training; providing for the establishment of a board of registration and prescribing its powers, duties and functions; dealing with qualifications, appointments, removal, compensation, and expenses of members thereof; providing for examination, qualifications, and registration of sanitarians and sanitarians-in-training, and for issuance, renewal, and reinstatement of certificates of registration; fixing fees therefor; authorizing revocation of certificates; providing for expenditure of funds collected under provisions of this act; fixing purposes for which such funds may be used; and providing a penalty.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 170. Relating to elections, providing for certain persons in federal service to vote absentee ballots.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 466. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county.

H. 467. Proposing an amendment to the Constitution of Alabama relating to York in Sumter County, and ordering an election thereon.

The above bill was read a second time at length as required by the Constitution.

H. 475. To amend further Section 3 of Act. No. 162, Regular Session 1943 (Local Acts 1943, p. 78) to fix the expense allowance of the sheriff of Cherokee County.

H. 476. To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation and provide for the payment thereof out of county funds.

H. 477. To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

H. 478. To authorize and provide for clerical assistants to the County Solicitor of Cherokee County; to provide for the selection, employment and discharge of such assistants; to fix their compensation, and provide for the payment thereof out of county funds.

H. 479. To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees as follows:

By Messrs. Burnham, Merrill and Albea:

H. 480. To amend further Act. No. 541, H. 512, Regular Session 1951, an act providing for the allocation of the duties of the chairman and members of the city commission of certain cities classified on a population basis and providing for their compensation.

Local Legislation No. 1.

By Messrs. Owens, Burns and Nabors:

H. 481. To make an appropriation from the general fund in the state treasury to the use of the state department of conservation for the development of Noccalula Falls Park at Gadsden, Etowah County.

Ways and Means.

By Mr. Edwards (Escambia):

H. 482. To regulate further the distribution of free textbooks in public schools; to amend further Sections 13 and 15 of Act No. 412, S. 261, approved July 7, 1945, an act which provides for the distribution of state-owned textbooks (Acts of Alabama 1945, p. 647).

Education.

By Messrs. Hester and Fite:

H. 483. To amend Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for-hire.

Ways and Means.

By Mr. Martin (With Notice and Proof):

H. 484. To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Local Legislation No. 1.

Notice and Proof H. 484:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF GREENE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), entitled "An Act to levy county sales and use taxes for public school purposes in Greene County; to provide for the collection of such taxes by the state department of revenue, and for the distribution and use of the proceeds thereof; to provide for the enforcement of the Act; to provide penalties for violations of the Act; to supersede and repeal Act No. 24, H. 15, approved February 19, 1959," is hereby repealed.

Section 2. All the provisions of said Act No. 294 pertaining to the payment and collection of the taxes levied therein, the making of reports and maintenance of records with respect thereto, and in general the enforcement of said act shall continue to be effective with respect to the taxes therein levied that shall have occurred thereunder before the effective date of this Act.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1963.

R. K. MARTIN,

Sworn to and subscribed before me June 13, 1963.

GENEVA L. MATTISON,
Title Notary Public,
In and for Greene County, Alabama.

By Mr. Campbell (Jackson):

H. 485. To provide expense allowance to circuit solicitors in judicial

circuits composed of three or more counties in addition to those expenses now allowed by law.

Local Legislation No. 1.

By Mr. Campbell (Jackson):

H. 486. To provide expense allowance to circuit court judges in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Local Legislation No. 1.

By Messrs. Rast, Vacca, Meeks, Etheredge, Bowers, Bethea (M), Brown (Jefferson), Sessions, Gilmore, Perry, Morrow, Bailes, Collins, Hawkins, Locke and Bethea (B) (With Notice and Proof):

H. 487. Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

Local Legislation No. 1.

Notice and Proof H. 487:

NOTICE

The following bill is intended to be introduced in the Legislature of Alabama in the regular session of 1963.

**A BILL
TO BE ENTITLED
AN ACT**

Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. To provide that the fee or costs of the Court of Common Claims of Jefferson County or docketing each case shall be one dollar and fifty cents and to further provide that the fee or costs of said court for issuing the summons and complaint shall be one dollar and to further provide that the fee or costs of said court for attending trial in unlawful detainer actions shall be four dollars.

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect upon its passage and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF JEFFERSON**

On this 13 day of June A. D. one thousand nine hundred and 63 personally appeared before me, J. L. Roberts a Notary Public in and for the County and State aforesaid Aubrey Cash who being duly sworn according to law, declares that he is Bookkeeper of "The Birmingham News" and "The Bir-

mingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: May 22, 29, 1963, June 5, 12, 1963.

AUBREY CASH,

Subscribed and sworn to before me this 13 day of June A.D. 1963.

J. L. ROBERTS,
Notary Public.

My commission expires 8-8-1964.

By Messrs. Rast, Vacca, Etheredge, Sessions, Bowers, Brown (Jefferson), Bethea (M), Gilmore, Perry, Morrow, Bailes, Collins, Hawkins, Locke and Bethea (B) (With Notice and Proof):

H. 488. Relating to the court fees and costs of the Jefferson County Civil Court.

Local Legislation No. 2.

Notice and Proof H. 488:

NOTICE

The following bill is intended to be introduced in the Legislature of Alabama in the regular session of 1963.

A BILL TO BE ENTITLED AN ACT

Relating to the court fees and costs of the Jefferson County Civil Court.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. To provide that the fee or cost of the Jefferson County Civil Court for docketing each case where the amount in controversy is in excess of one thousand dollars shall be nine dollars and ten cents and to further provide that witnesses who prove by certificate their attendance in said court are entitled to claim a witness fee in the amount of two dollars for each days attendance. A claim for a witness fee must be made within five days after the witness's attendance in court.

Section 2. That all laws and parts of laws in conflict herewith are hereby repealed.

Section 3. This act shall take effect upon its passage and approval by the Governor, or its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
COUNTY OF JEFFERSON

On this 13 day of June A.D. one thousand nine hundred and 63 personally appeared before me, J. L. Roberts a Notary Public in and for the County and State aforesaid Aubrey Cash who being duly sworn according

to law, declares that he is Bookkeeper of "The Birmingham News" and "The Birmingham Post Herald", newspapers published in the City of Birmingham, in the County of Jefferson, State of Alabama, and that the advertisement, a true copy of which is herewith attached, appeared in "The Birmingham Post Herald" on the following dates: May 22, 29, 1963, June 5, 12, 1963.

AUBREY CASH,

Subscribed and sworn to before me this 13 day of June, A.D. 1963.

J. L. ROBERTS,
Notary Public.

My Commission expires 3-8-1964.

By Messrs. Boston, and Hannah (With Notice and Proof):

H. 489. Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32) and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

Local Legislation No. 1.

Notice and Proof H. 489:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county

engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32) and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

Be It Enacted by the Legislature of Alabama:

Section 1. The provisions of this act shall become operative only if approved by a majority of the electors of Lauderdale County voting in a referendum to be held on the date of the first county-wide primary, general, or special election held after the passage of this act. The governing body of Lauderdale County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the election the question shall be stated substantially as follows: "Do you favor having the court of county commissioners, board of revenue, or like county governing body of Lauderdale County exercise jurisdiction over the construction, repair and maintenance of county roads and bridges, instead of the state highway department? Yes () No ()." If a majority of the votes cast at the election are "Yes," the provisions of this act shall become operative immediately. If the majority are "No," this act shall have no further effect.

Section 2. After this act takes effect as herein provided, the court of county commissioners, board of revenue, or like governing body of Lauderdale County shall be solely responsible for the construction, repair and maintenance of the roads and bridges in the county. Except as herein otherwise provided the county governing body shall have all the powers and jurisdiction with respect to county roads and bridges which are, or which hereafter may be, vested in or required of courts of county commissioners, boards of revenue, or other like county governing bodies by the general laws of this state, or vested in or required of the governing body of Lauderdale County by local law; and the members of the county governing body of Lauderdale County, except as herein otherwise provided, shall perform all the duties and services and shall exercise all powers and authority with respect to the construction, repair and maintenance of county roads and bridges which are, or which hereafter may be, provided by law for members of courts of county commissioners, boards of revenue, or other like county governing bodies.

Section 3. When this act becomes effective, any unexpended monies remaining in the fund required by law to be maintained by the state highway department for use in the construction, repair and maintenance of county roads and bridges in Lauderdale County shall, except as may otherwise be provided by this act, be paid over to the county governing body of Lauderdale County. Thereafter, all funds and monies designated by law for use in the construction, repair and maintenance of county roads and bridges in Lauderdale County to which Lauderdale County may be entitled, whether from the proceeds of the state gasoline tax, the motor vehicle license tax, or other state tax, or any federal aid accruals, or from any other source whatsoever, shall be paid to the county governing body of Lauderdale County by the appropriate county or state official.

Section 4. When this act becomes effective, the state highway department shall transfer and turn over to the county governing body of Lauderdale County road equipment, machinery and supplies of like kind and equal in value to the road equipment, machinery and supplies which Lauderdale County was required to transfer and turn over to the state highway department in accordance with Act No. 30, H. 69, Regular Session 1953 (Acts 1953, p. 32), which required the state highway department to construct, repair and maintain roads and bridges in Lauderdale County.

Section 5. All persons employed by the state highway department in the construction, repair and maintenance of county roads and bridges in Lauderdale County upon the adoption of this act shall cease to be employ-

ees of the state highway department, shall no longer be subject to the State Merit System Law, and shall insofar as is practical continue to be employed by the county in the construction, repair and maintenance of county roads and bridges in the county, subject to the approval of the county governing body.

Section 6. Any contract for the construction, repair or maintenance of county roads and bridges in Lauderdale County entered into by the state highway department prior to the adoption of this act shall remain in full force and effect until the terms thereof have been complied with.

Section 7. All outstanding financial obligations which were incurred prior to the adoption of this act for the construction, repair, or maintenance of county roads and bridges in Lauderdale County shall, upon the adoption of this act, become outstanding financial obligations of Lauderdale County, and shall be retired or paid in accordance with the terms under which indebtedness was incurred.

Section 8. After this act becomes effective the roads and bridges of Lauderdale County shall be constructed, repaired, and maintained on the basis of the county as a unit and without regard to district lines. No county personnel or equipment shall be allocated or used in construction, repair, and maintenance of county roads and bridges on any basis other than the county as a unit.

Section 9. The county governing body shall appoint a county engineer, who shall possess all the qualifications prescribed for county engineers by the general laws of Alabama and who shall perform all the duties thereby required of county engineers. The engineer's salary shall be fixed and be payable in the manner prescribed in the general law for fixing and paying the salary of county engineers.

Section 10. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 11. Act No. 30, H. 69, approved May 28, 1953 (Acts of Alabama, 1953, p. 32), and all other laws or parts of laws in conflict with the provisions of this act, are hereby repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 6, May 13, May 20, and May 27, all in the year 1963.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me May 27, 1963.

JAMES C. STUTTS,
Title Notary Public,
State at Large.

By Messrs. Boston and Hannah (With Notice and Proof):

H. 490. Relating to Lauderdale County, providing for additional meetings of the board of registrars.

Local Legislation No. 1.

Notice and Proof H. 490:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lauderdale County, providing for additional meetings of the board of registrars.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of registrars of Lauderdale County shall meet at the county courthouse on the first, second, third, and fourth Mondays of each month for the purpose of registering persons entitled to register to vote. Such meetings shall be in addition to any other meetings now required by law.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 21, May 28, June 4, and June 11, all in the year 1963.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me June 11, 1963.

JAMES C. STUTTS,
Title Notary Public,
State at Large.
My commission expires June 29, 1963.

By Messrs. Boston and Hannah (With Notice and Proof):

H. 491. To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Local Legislation No. 1.

Notice and Proof H. 491:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following officers of Lauderdale County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The judge of probate shall receive an annual salary of \$13,500, which shall include his compensation for all ex officio duties.

The sheriff shall receive an annual salary of \$11,000, and shall also be entitled to an allowance of not more than \$100 a month for travel expenses, as determined by the county governing body.

The tax assessor shall receive an annual salary of \$10,000.

The tax collector shall receive an annual salary of \$10,000.

The clerk of the circuit court shall receive an annual salary of \$10,000, which shall include his compensation for all ex officio duties.

The register of the circuit court shall receive an annual salary of \$7,200.

Section 2. The court of county commissioners, board of revenue, or other like governing body of Lauderdale County, shall provide, compensation for clerks, assistants and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices. Provided, the judge of probate shall not be allowed more than three full time clerks; the sheriff shall be allowed a jailer and the same number of deputies and other assistants as are now provided by law, who shall receive the compensation and allowances as may be prescribed by law; the clerk of the circuit court shall not be allowed more than three full time clerks; the tax assessor shall not be allowed more than three full time clerks; the tax collector shall not be allowed more than two full time clerks. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the board of revenue, county commissioners, or other like county government body as to number and rate of pay, except as herein otherwise provided.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1 shall be collected hereafter for the use of the county and shall be paid into a special fund in the county treasury from which the salaries and allowances of the officers shall be paid. Provided, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside Lauderdale County. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in equal monthly installments from the special fund herein provided for or the general fund if the special fund is insufficient for that purpose. If at the close of each fiscal year there is any surplus in the special fund remaining after payment of the salaries and allowances of officers and their deputies and assistants, the surplus shall be distributed among the city and county boards of education on the same basis that state minimum program funds are allotted to them.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Lauderdale County shall provide the judge of probate, sheriff, tax assessor, tax collector, clerk of the circuit court, and register of the circuit court with the books, stationery, office equipment, supplies, postage, and other conveniences and conveyances as may be necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the ratification of an amendment to the Constitution authorizing the Legislature to change the method of compensating the officers named in this Act, providing a majority of the qualified electors of Lauderdale County who vote thereon vote in favor of the adoption of the amendment when it is submitted. If a majority of the qualified electors of Lauderdale county who vote thereon vote against the adoption of the amendment, this Act shall have no further effect even though the amendment to the constitution is ratified.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the Florence Times, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 6, May 13, May 20, and May 27, all in the year 1963.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me May 27, 1963.

JAMES C. STUTTS,
Title Notary Public,
State at Large.

By Messrs. Turnham, Hannah, Boston and Paulk:

H. 492. Relating to teacher tenure; amending Code of Alabama 1940, Title 52, Section 353, which relates to the contract of employment of any teacher who has attained continuing service status.

Education.

By Mr. Edwards (Lowndes):

H. 493. Relating to counties having populations of not less than 15,400 nor more than 16,000; fixing the compensation of the county or deputy solicitor in such counties.

Local Legislation No. 1.

By Mr. Fite:

H. 494. Relating to contractors bidding on highway work submitting a check or bid bond with their bid as a proposal guaranty.

Ways and Means.

By Messrs. Fite, Nettles, Turner (Crenshaw), Brewer and Goodwyn:

H. 495. To provide for a public corporation for the purposes of constructing or causing to be constructed public roads and bridges in this State and related purposes; to describe its powers and duties, and to provide for the raising of necessary funds for such purposes, and to provide for the payment of the cost of construction of such roads and bridges, and to authorize such corporation to borrow money and match Federal funds for public roads, bridges and highways constructed and to issue bonds, warrants, assignments, transfers, or securities, and to aid in the several counties of the State in negotiating or otherwise financing interest bearing warrants of such counties, secured by pledge of the proceeds of gasoline tax appropriations to the counties by the State, and to contract with counties, the State Highway Department of Alabama, or other agencies performing any of the functions thereof by whatever name it may be known and any branch or agency of the Federal Government or other authorities, and persons, firms, or corporations:

Ways and Means.

By Mr. Fite:

H. 496. Relating to supernumerary court reporters; amending Act No. 817, H. 298, Regular Session 1961, in relation to eligibility for such appointments, providing that an official reporter of the Alabama Public Service Commission may become a supernumerary reporter.

Ways and Means.

By Mr. Carr:

H. 497. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of the officers of Marshall County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Rogers, Engel, Smith and Salter:

H. 498. To amend Code of Alabama 1940, Title 22, Section 207, which relates to the state milk control board.

Agriculture.

By Messrs. Edington, Fields, Smith, McDermott, Engel, Downing, and Rogers (With Notice and Proof):

H. 499. To permit the Governing Body of Mobile County to establish a Board of Recreation for the supervision and management of recreational programs and facilities within the County, defining the duties and authority of such Board, and authorizing appropriations therefor and donations thereto.

Local Legislation No. 3.

Notice and Proof H. 499:

LEGAL NOTICE

Notice is hereby given that the following bill pertaining to Mobile County will be introduced in the current regular session of the Alabama Legislature:

A BILL TO BE ENTITLED AN ACT

To permit the Governing Body of Mobile County to establish a Board of Recreation for the supervision and management of recreational programs and facilities within the County, defining the duties and authority of such Board, and authorizing appropriations therefor and donations thereto.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Governing Body of Mobile County is hereby authorized to establish a Board of Recreation for the purpose of supervising, managing and maintaining public recreational facilities and activities, including the sponsoring of recreational programs within the County. Such Board, if an when established, shall consist of three members one of whom shall be designated by the Governing Body of Mobile County as Chairman. The members shall be appointed by the Governing Body of the County and shall serve without compensation and at the pleasure of said Governing Body.

Section 2. The Board of Recreation, when established in accordance with the provisions of this Act, shall be responsible for the direction, supervision and promotion of such recreational programs as will contribute to the general welfare of the residents of the County. The Board shall have control over all lands, buildings, equipment, and other facilities assigned for recreational purposes to the Board by the County, any municipal Governing Body within the County, or any other Governmental Agency within the County. The Board shall cooperate with other local agencies and state and federal agencies for the purpose of providing, maintaining and improving recreational services and facilities for the County.

Section 3. The Board of Recreation, when established as herein pro-

vided, is authorized to establish a Trust Fund from public donations, or otherwise, for the support and maintenance of such recreational programs, and shall have the power to accept financial and other aid and grants from any public or private agency, and all monies received by said Board shall be placed in said Trust Fund. The proceeds of the Trust Fund or other sources of revenue shall be used for the support, operation and maintenance of such recreational programs. The Board shall be charged with the duty of keeping proper records and accounts of the Trust Fund, and shall, on request, submit reports on same to the County Governing Body or other public or private bodies who have contributed to the Trust Fund. These records and accounts shall be public records and shall be open to public inspection at all reasonable times.

Section 4. The Governing Body of Mobile County, the governing bodies of the several municipalities within the County, and any other governmental agencies within or without the State of Alabama, may make appropriations to the Board of Recreation when established as herein provided, and further may, with the consent of said Board, assign, designate, or convey any lands, buildings, or facilities under their control for the support, maintenance, and operation of the recreational facilities and programs of said Board.

Section 5. The Board of Recreation, when established as herein provided may employ such staff members as may be necessary or desirable and the use of lands, buildings, equipment, and other facilities under its jurisdiction. However, said Board shall have no power to exercise the jurisdiction herein granted to it within any municipality without the consent of such municipality and without the compliance by said municipality with the rules and regulations adopted by the Board.

Section 6. The Board of Recreation, when established as herein provided, may employ such staff members as may be necessary or desirable to put into effect and carry out the recreation program established by the Board, and such employees shall serve under the provisions of the Civil Service Act in force in Mobile County. The Board of Recreation shall be the appointing authority for all such employees.

Section 7. All laws and parts of laws in conflict herewith are hereby repealed.

Section 8. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

C. R. Willisson being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 11, 18, 25 and June 1, 1963.

C. R. WILLISSON,

Sworn to and subscribed before me this 1 day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Smith and Drake:

H. 500. To create and provide for establishment of a state court of review, prescribing its jurisdiction and providing for its operation.

Judiciary.

By Messrs. Engel, Downing, Edington, Smith, McDermott, Fields, and Rogers:

H. 501. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act No. 315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Local Legislation No. 3.

By Messrs. Pierce, Goodwyn, Goodthwaite and Little:

H. 502. To provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof.

Local Legislation No. 1.

By Messrs. Callahan, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 503. To amend Section 183 of Title 26 of the Code of Alabama of 1940 as last amended so as to exempt from the operation of said Code Section the proprietors or operators of barber shops.

Ways and Means.

By Messrs. Bevill and Scurlock:

H. 504. To adopt the Interstate Compact On Juveniles, to authorize the Governor to execute the Compact with other states; to designate the Commissioner, State Department of Pensions and Security, as Compact Administrator and to empower him to make supplementary agreements and arrangements for cooperative services on the Compact.

Public Welfare.

By Messrs. Bevill and Scurlock:

H. 505. To make an appropriation from the Alabama special educational trust fund for capital outlay purposes at Walker Junior College.

Ways and Means.

By Messrs. Wood, Doggett and McCorquodale:

H. 506. Relating to the first judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Local Legislation No. 1.

MOTION IN WRITING

Mr. Slate offered the following motion in Writing:

Having voted with the prevailing side on the vote on H. B. 391 as amended, I now move that H. B. 391 as amended be reconsidered.

And the Motion in Writing offered by Mr. Slate was adopted.

RECONSIDERATION OF H. 391

And the bill:

H. 391. To provide that all paid firemen in cities or towns with a population of thirty thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year.

As amended, was again taken up.

Mr. Slate offered the following amendment to the bill, H. 391, as amended:

Amend H. B. 391 as amended as follows:

Amend H. B. 391 as amended by deleting the words and figures "thirty thousand (30,000)" wherever they appear therein and inserting in lieu thereof the words and figures "twenty-nine thousand (29,000)."

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Casey	Heflin	Pierce
Albea	Cooper	Hester	Posey
Avery	Cornett	Holladay	Rast
Bailes	Daniel	Ingram	Rogers
Barnett	Doggett	Jones (Covington)	Scurlock
Bassett	Drake	Jones (Monroe)	Sessions
Bevill	Edwards (Escambia)	Locke	Slate
Blanton	Edwards (Lowndes)	McCorquodale	Smith
Bolton	Engel	McDermott	Snell
Boston	Etheredge	Mashburn	Steagall
Branyon	Fields	Meade	Stembridge
Brown (Jefferson)	Fite	Meeks	Sullivan
Brown (Tuscaloosa)	Gilmore	Merrill	Teel
Burnham	Glass	Moore	Thomas
Burns	Goodwyn	Morrow	Turner (Limestone)
Callahan	Grouby	Nabors	Turnham
Camp	Hain	NeSmith	Vacca
Campbell (Jackson)	Hankins	Nettles	Wood
Campbell (Tuscaloosa)	Hannah	Owens	Young
Carr	Hawkins	Paulk	

—79

And said bill, H. 391, as amended, was again read at length and passed.

Yeas 64; Nays 13.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Casey	Edwards (Escambia)
Albea	Burnham	Cates	Edwards (Lowndes)
Avery	Burns	Cooper	Engel
Bailes	Callahan	Cornett	Fields
Bassett	Camp	Daniel	Glass
Bevill	Campbell (Jackson)	Doggett	Goodwyn
Blanton	Campbell (Tuscaloosa)	Downing	Grouby
Boston	Carr	Drake	Hain

Hannah	Meade	Perry	Steagall
Heflin	Meeks	Posey	Stembridge
Hester	Merrill	Pruitt	Sullivan
Holladay	Moore	Rogers	Turner (Limestone)
Jones (Covington)	Nabors	Scurlock	Turnham
Jones (Monroe)	Nettles	Slate	Vacca
McCorquodale	Owens	Smith	Wood
McDermott	Paulk	Snell	Young

—64

Nays:

Messrs.	Fite	Little	Rast
Barnett	Goldthwaite	Mashburn	Teel
Branyon	Hankins	Pierce	Thomas
Etheredge	Ingram		

—13

BILLS ON THIRD READING

H. 441. To provide further for the compensation of the county or deputy solicitor in all counties having populations of not less than 17,400 nor more than 17,800 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas '66; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Perry
Albea	Cooper	Hannah	Pierce
Avery	Cornett	Heflin	Posey
Bailes	Daniel	Hester	Pruitt
Barnett	Doggett	Hogan	Rast
Bassett	Downing	Ingram	Rogers
Bethea (M)	Edington	Jones (Covington)	Scurlock
Bevill	Edwards (Escambia)	Jones (Monroe)	Sessions
Blanton	Edwards (Lowndes)	McCorquodale	Slate
Bolton	Engel	McDermott	Smith
Boston	Etheredge	Meade	Snell
Bowers	Fields	Meeks	Steagall
Branyon	Fite	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Moore	Teel
Burnham	Glass	Morrow	Thomas
Camp	Goldthwaite	Nabors	Turner (Limestone)
Carr	Goodwyn	NeSmith	Turnham
Casey	Grouby	Nettles	Vacca
Cates	Hain	Paulk	Wood

—76

And the bill:

H. 450. Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Cornett	Hester	Pierce
Albea	Daniel	Hogan	Posey
Avery	Doggett	Holladay	Pruitt
Bailes	Downing	Ingram	Rast
Barnett	Edington	Jones (Covington)	Rogers
Bassett	Edwards (Escambia)	Jones (Monroe)	Salter
Bethea (M)	Edwards (Lowndes)	Little	Scurlock
Bevill	Engel	Locke	Sessions
Blanton	Etheredge	McCorquodale	Slate
Bolton	Fields	McDermott	Smith
Boston	Fite	Mashburn	Snell
Bowers	Gilmore	Meade	Steagall
Branyon	Glass	Meeks	Stembridge
Brown (Jefferson)	Goldthwaite	Merrill	Sullivan
Brown (Tuscaloosa)	Goodwyn	Moore	Teel
Burnham	Grouby	Morrow	Thomas
Camp	Hain	Nabors	Turner (Limestone)
Carr	Hankins	NeSmith	Turnham
Casey	Hannah	Nettles	Vacca
Cates	Harper	Paulk	Wood
Collins	Heflin	Perry	Young
Cooper			

—85

Nay:

Mr. Powell

—1

And the bill:

S. 60. Relating to Barbour County; to authorize the appointment of two jailers by the county governing body.

Was read a third time at length and passed.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Cates	Hannah	Nettles
Albea	Collins	Harper	Paulk
Avery	Cooper	Heflin	Perry
Bailes	Cornett	Hogan	Pierce
Baker (DeKalb)	Daniel	Holladay	Posey
Barnett	Doggett	Ingram	Pruitt
Bassett	Downing	Jones (Covington)	Rast
Bethea (M)	Edwards (Escambia)	Jones (Monroe)	Rogers
Bevill	Edwards (Lowndes)	Little	Salter
Blanton	Engel	Locke	Sessions
Bolton	Etheredge	McCorquodale	Slate
Boston	Fields	McDermott	Smith
Bowers	Fite	Mashburn	Snell
Branyon	Gilmore	Meade	Steagall
Brown (Jefferson)	Glass	Meeks	Sullivan
Brown (Tuscaloosa)	Goldthwaite	Merrill	Teel
Burnham	Goodwyn	Moore	Turner (Limestone)
Camp	Grouby	Morrow	Turnham
Campbell (Tuscaloosa)	Hain	Nabors	Vacca
Carr	Hankins	NeSmith	Young
Casey			

—81

Nay:

Mr. Powell

—1

And the bill:

S. 62. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cook	Hannah	Pierce
Albea	Cooper	Harper	Posey
Avery	Cornett	Heflin	Powell
Bailes	Daniel	Hogan	Pruitt
Baker (DeKalb)	Doggett	Holladay	Rast
Barnett	Dominick	Ingram	Rogers
Bassett	Downing	Jones (Covington)	Salter
Bethea (M)	Drake	Jones (Monroe)	Scurlock
Bevill	Edington	Little	Sessions
Blanton	Edwards (Escambia)	Locke	Slate
Bolton	Edwards (Lowndes)	McCorquodale	Smith
Boston	Engel	McDermott	Snell
Bowers	Etheredge	Mashburn	Steagall
Branyon	Fields	Meeks	Stembridge
Brown (Jefferson)	Fite	Merrill	Sullivan
Burnham	Gilmore	Moore	Teel
Camp	Glass	Morrow	Thomas
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turner (Limestone)
Carr	Goodwyn	NeSmith	Turnham
Casey	Grouby	Nettles	Vacca
Cates	Hain	Paulk	Wood
Collins	Hankins	Perry	Young

—88

And the bill:

H. 445. To further amend Section 712 of Title 51, Code of Alabama 1940 as amended so that certain requirements do not apply in counties of over 600,000 population.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Carr	Edington
Albea	Bolton	Casey	Edwards (Escambia)
Avery	Boston	Cates	Engel
Bailes	Bowers	Collins	Etheredge
Baker (DeKalb)	Branyon	Cornett	Fields
Barnett	Brown (Jefferson)	Daniel	Fite
Bassett	Brown (Tuscaloosa)	Doggett	Gilmore
Bethea (B)	Burnham	Dominick	Glass
Bethea (M)	Camp	Downing	Goldthwaite
Bevill	Campbell (Tuscaloosa)	Drake	Goodwyn

Grouby	Locke	Perry	Snell
Hain	McCorquodale	Pierce	Steagall
Hankins	McDermott	Posey	Stembridge
Hannah	Mashburn	Powell	Sullivan
Harper	Meeks	Pruitt	Teel
Heflin	Merrill	Rast	Thomas
Hogan	Moore	Rogers	Turner (Limestone)
Holladay	Morrow	Salter	Turnham
Ingram	Nabors	Sessions	Vacca
Jones (Covington)	NeSmith	Slate	Wood
Jones (Monroe)	Nettles	Smith	Young
Little	Paulk		

—86

And the bill:

H. 446. To vacate certain Streets, Avenues and Alleys, and other public ways in part of the area in the City of Birmingham known as Urban Renewal Project Ala. R-22, occupying part of the area West of Avenue "V", North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pierce
Albea	Cornett	Heflin	Posey
Avery	Daniel	Hogan	Powell
Bailes	Doggett	Holladay	Pruitt
Baker (DeKalb)	Dominick	Ingram	Rast
Barnett	Downing	Jones (Covington)	Rogers
Bassett	Drake	Jones (Monroe)	Salter
Bethea (B)	Edington	Little	Sessions
Bethea (M)	Edwards (Escambia)	Locke	Slate
Bevill	Edwards (Lowndes)	McCorquodale	Smith
Blanton	Engel	McDermott	Snell
Bolton	Etheredge	Mashburn	Steagall
Boston	Fields	Meeks	Stembridge
Bowers	Fite	Merrill	Sullivan
Branyon	Gilmore	Moore	Thomas
Brown (Jefferson)	Glass	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Goldthwaite	Nabors	Turnham
Burnham	Goodwyn	NeSmith	Vacca
Carr	Grouby	Nettles	Wood
Casey	Hain	Paulk	Young
Cates	Hankins	Perry	
Collins	Hannah		

—85

And the bill:

H. 448. To apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a license tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax and to provide the machinery for the collection thereof and the operation of this Act; and to provide for

the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act, and prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, or possessed by a retail dealer, which do not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of Alabama of 1947, published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the collection of a license tax on malt or brewed beverages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker	Daniel	Hogan	Powell
Albea	Doggett	Holladay	Pruitt
Avery	Downing	Jones (Covington)	Rast
Bailes	Drake	Jones (Monroe)	Rogers
Baker (DeKalb)	Edington	Little	Salter
Bassett	Edwards (Escambia)	Locke	Sessions
Bethea (M)	Edwards (Lowndes)	McCorquodale	Slate
Blanton	Engel	McDermott	Smith
Bolton	Etheredge	Mashburn	Snell
Boston	Fields	Meeks	Steagall
Bowers	Fite	Merrill	Stembridge
Branyon	Gilmore	Moore	Sullivan
Brown (Jefferson)	Glass	Morrow	Thomas
Burnham	Goodwyn	NeSmith	Turner (Limestone)
Camp	Grouby	Nettles	Turnham
Carr	Hain	Paulk	Vacca
Cates	Hankins	Perry	Wood
Cook	Hannah	Pierce	Young
Cornett	Heflin	Posey	

—75

Nay:

Mr. Brown (Tuscaloosa)

—1

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit;

H. 391. To provide that all paid firemen in cities or towns with a population of twenty-nine thousand or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year.

ALBERT P. BREWER,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 449, was adopted.

PASSAGE OF H. 449

And the bill:

H. 449. To amend Title 55, Section 343, Code of Alabama 1940 (Re-compiled 1958), as amended, making an appropriation for payment of awards by the State Board of Adjustment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doggett	Hester	Pierce
Albee	Downing	Hogan	Posey
Avery	Drake	Holladay	Powell
Bassett	Edington	Jones (Covington)	Pruitt
Bethea (M)	Edwards (Escambia)	Jones (Monroe)	Rogers
Bevill	Edwards (Lowndes)	Little	Salter
Blanton	Etheredge	Locke	Scurlock
Bolton	Fields	McDermott	Slate
Boston	Fite	Mashburn	Smith
Bowers	Gilmore	Meeks	Steagall
Brown (Jefferson)	Glass	Merrill	Stembridge
Brown (Tuscaloosa)	Goldthwaite	Moore	Sullivan
Burnham	Goodwyn	Morrow	Teel
Camp	Grouby	Nabors	Thomas
Casey	Hain	NeSmith	Turner (Greenshaw)
Collins	Hannah	Nettles	Turnham
Cook	Harper	Paulk	Vacca
Cooper	Heflin	Perry	Young
Daniel			

—73

MOTION TO SUSPEND RULES LOST

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 183, was lost.

Yeas 48; Nays 29.

Yeas:

Mr. Speaker	Callahan	Doggett	Fite
Bassett	Campbell (Jackson)	Downing	Goldthwaite
Bethea (B)	Casey	Drake	Goodwyn
Bevill	Cates	Edington	Grouby
Boston	Cook	Edwards (Escambia)	Hain
Branyon	Cooper	Edwards (Lowndes)	Harper
Brown (Tuscaloosa)	Daniel	Engel	Hester

Hogan	Nettles	Smith	Thomas
McDermott	Paulk	Snell	Turner (Crenshaw)
Merrill	Posey	Stembridge	Turnham
Moore	Scurlock	Sullivan	Vacca
Nabors	Slate	Teel	Wood

—48

Nays:

Messrs.	Burnham	Heflin	NeSmith
Albea	Camp	Holladay	Perry
Avery	Campbell (Tuscaloosa)	Jones (Covington)	Powell
Bailes	Carr	Locke	Rast
Bethea (M)	Collins	Mashburn	Rogers
Bolton	Dominick	Meeks	Sessions
Bowers	Etheredge	Morrow	Young
Brown (Jefferson)	Gilmore		

—29

MOTION TO SUSPEND RULES LOST

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 101, was lost.

Yeas 68; Nays 22.

Yeas:

Mr. Speaker	Daniel	Harper	Powell
Bassett	Doggett	Heflin	Pruitt
Bethea (B)	Downing	Hester	Rast
Bevill	Drake	Hogan	Rogers
Boston	Edington	Jones (Covington)	Salter
Bowers	Edwards (Escambia)	Jones (Monroe)	Scurlock
Branyon	Edwards (Lowndes)	Locke	Slate
Brown (Jefferson)	Engel	McDermott	Snell
Brown (Tuscaloosa)	Fields	Mashburn	Steagall
Callahan	Fite	Merrill	Stembridge
Campbell (Jackson)	Gilmore	Moore	Sullivan
Campbell (Tuscaloosa)	Glass	Morrow	Thomas
Cates	Goodwyn	Nabors	Turner (Crenshaw)
Collins	Grouby	NeSmith	Turnham
Cook	Hain	Nettles	Vacca
Cooper	Hankins	Paulk	Wood
Cornett	Hannah	Posey	Young

—68

Nays:

Messrs.	Bolton	Etheredge	Perry
Albea	Burnham	Goldthwaite	Pierce
Avery	Camp	Holladay	Smith
Bailes	Carr	Ingram	Teel
Barnett	Casey	Little	Turner (Limestone)
Bethea (M)	Dominick	Meeks	

—22

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Blanton to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 414, was adopted.

PASSAGE OF H. 414

And the bill:

H. 414. To amend Act No. 693, H. 658, Regular Session 1947 (General Acts 1947, p. 527), an act providing medical deductions to individual income taxpayers.

Was taken up.

Mr. Blanton offered the following amendment to the bill, H. 414:

Amendment to H.B. 414

In Section 1, second paragraph, after the words "to the same extent and subject to the same limitations" insert "when applied to the taxpayer's adjusted gross income for state tax purposes,"

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Albea	Collins	Harper	Posey
Avery	Cook	Heflin	Powell
Bailes	Cooper	Hester	Pruitt
Barnett	Cornett	Hogan	Rast
Bassett	Daniel	Holladay	Rogers
Bethea (B)	Doggett	Ingram	Salter
Bethea (M)	Dominick	Jones (Covington)	Scurlock
Bevill	Downing	Jones (Monroe)	Sessions
Blanton	Edwards (Escambia)	Little	Slate
Bolton	Edwards (Lowndes)	Locke	Snell
Boston	Engel	McDermott	Steagall
Bowers	Etheredge	Mashburn	Stembridge
Branyon	Fields	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Brown (Tuscaloosa)	Gilmore	Morrow	Thomas
Burnham	Glass	Nabors	Turner (Crenshaw)
Callahan	Goldthwaite	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Jackson)	Grouby	Owens	Vacca
Campbell (Tuscaloosa)	Hain	Paulk	Wood
Carr	Hankins	Perry	Young
Casey			

—89

And said bill, H. 414, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bevill	Burnham	Collins
Albea	Blanton	Callahan	Cook
Avery	Bolton	Camp	Cooper
Bailes	Boston	Campbell (Jackson)	Cornett
Barnett	Bowers	Campbell (Tuscaloosa)	Daniel
Bassett	Branyon	Carr	Doggett
Bethea (B)	Brown (Jefferson)	Casey	Dominick
Bethea (M)	Brown (Tuscaloosa)	Cates	Downing

Drake	Hannah	Morrow	Sessions
Edington	Harper	Nabors	Slate
Edwards (Escambia)	Heflin	NeSmith	Snell
Edwards (Lowndes)	Hester	Nettles	Steagall
Engel	Hogan	Owens	Stembridge
Etheredge	Holladay	Paulk	Sullivan
Fields	Ingram	Perry	Teel
Fite	Jones (Covington)	Pierce	Thomas
Gilmore	Jones (Monroe)	Posey	Turner (Crenshaw)
Glass	Little	Powell	Turner (Limestone)
Goldthwaite	Locke	Pruitt	Turnham
Goodwyn	McDermott	Rast	Vacca
Grouby	Mashburn	Rogers	Wood
Hain	Meeks	Salter	Young
Hankins	Merrill	Scurlock	

—91

UNANIMOUS CONSENT GRANTED

Mr. Teel requested unanimous consent to add his name as a co-author of the bill, H. 414, and it was so granted.

BILLS POSTPONED

On motion of Mr. Crawford, consideration of the bills, H. 154, H. 155, H. 156, H. 158, H. 159 and H. 160, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED

H. 192. Relating to the office of secretary of state; authorizing the photographic reproduction of and providing for authentication of certain official records of the office of the secretary of state; making an appropriation to effectuate the purpose of the Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pierce
Albea	Cornett	Harper	Posey
Avery	Daniel	Heflin	Powell
Bailes	Doggett	Hogan	Pruitt
Barnett	Dominick	Holladay	Rogers
Bassett	Downing	Ingram	Salter
Bethea (M)	Drake	Jones (Covington)	Scurlock
Bevill	Edington	Jones (Monroe)	Sessions
Bolton	Edwards (Escambia)	Little	Slate
Boston	Edwards (Lowndes)	Locke	Snell
Bowers	Engel	McDermott	Steagall
Branyon	Etheredge	Mashburn	Stembridge
Brown (Jefferson)	Fields	Meeks	Sullivan
Brown (Tuscaloosa)	Fite	Merrill	Teel
Burnham	Gilmore	Morrow	Thomas
Callahan	Glass	Nabors	Turner (Crenshaw)
Camp	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Nettles	Turnham
Campbell (Tuscaloosa)	Grouby	Owens	Vacca
Casey	Hain	Paulk	Wood
Cates	Hankins	Perry	Young
Collins			

—85

And the bill:

H. 186. To amend Sections 13, 14, 21, and 91 of Act No. 414, S. 261, Regular Session, 1959 (Acts 1959, p. 1055) relating to the qualification and operation of domestic and foreign corporations in the state, prescribing fees to be paid to the secretary of state for the performance of certain official duties pursuant thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 4.

Yeas:

Mr. Speaker	Doggett	Hester	Powell
Avery	Dominick	Hogan	Pruitt
Bailes	Downing	Holladay	Rast
Bassett	Drake	Ingram	Rogers
Betha (M)	Edington	Jones (Covington)	Salter
Bevill	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bolton	Edwards (Lowndes)	Little	Sessions
Boston	Engel	McDermott	Slate
Bowers	Etheredge	Mashburn	Snell
Brown (Jefferson)	Fields	Meade	Steagall
Brown (Tuscaloosa)	Fite	Meeks	Stembridge
Callahan	Gilmore	Merrill	Sullivan
Camp	Glass	Moore	Teel
Campbell (Jackson)	Goldthwaite	Nabors	Thomas
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Crenshaw)
Carr	Grouby	Nettles	Turner (Limestone)
Casey	Hain	Owens	Turnham
Collins	Hankins	Paulk	Vacca
Cooper	Hannah	Perry	Wood
Cornett	Harper	Pierce	Young
Daniel	Heflin	Posey	

—83

Nays:

Messrs.	Branyon	Burnham	Cates
Albea			

—4

And the bill:

H. 224. To make an appropriation of highway department funds for the relief of W. T. Chapman.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 4.

Yeas:

Mr. Speaker	Bevill	Callahan	Cooper
Avery	Boston	Camp	Cornett
Bailes	Bowers	Campbell (Jackson)	Daniel
Baker (DeKalb)	Branyon	Campbell (Tuscaloosa)	Doggett
Barnett	Brown (Jefferson)	Carr	Downing
Bassett	Brown (Tuscaloosa)	Cates	Drake
Betha (B)	Burnham	Cook	Edington

Edwards (Escambia)	Heflin	Nettles	Steagall
Edwards (Lowndes)	Hester	Owens	Stembridge
Engel	Hogan	Paulk	Sullivan
Fields	Ingram	Perry	Teel
Fite	Jones (Covington)	Pierce	Thomas
Glass	Jones (Monroe)	Posey	Turner (Crenshaw)
Goldthwaite	McDermott	Powell	Turner (Limestone)
Goodwyn	Mashburn	Pruitt	Turnham
Grouby	Meade	Rogers	Vacca
Hankins	Moore	Salter	Wood
Hannah	Nabors	Scurlock	Young
Harper	NeSmith	Snell	

—75

Nays:

Messrs.	Etheredge	Holladay	Locke
Bolton			

—4

And the bill:

H. 226. To make an appropriation of highway department funds for the relief of the estate of R. L. Stinson.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 2.

Yeas:

Mr. Speaker	Cook	Heflin	Powell
Albea	Cooper	Hester	Pruitt
Avery	Cornett	Hogan	Rogers
Bailes	Daniel	Ingram	Salter
Baker (DeKalb)	Doggett	Jones (Covington)	Scurlock
Barnett	Downing	Jones (Monroe)	Sessions
Bassett	Drake	McDermott	Slate
Bethea (B)	Edington	Mashburn	Snell
Bevill	Edwards (Escambia)	Meade	Steagall
Boston	Edwards (Lowndes)	Merrill	Stembridge
Bowers	Fields	Moore	Sullivan
Branyon	Fite	Nabors	Teel
Brown (Jefferson)	Glass	NeSmith	Thomas
Burnham	Goodwyn	Nettles	Turner (Crenshaw)
Callahan	Grouby	Owens	Turner (Limestone)
Camp	Hankins	Paulk	Turnham
Campbell (Jackson)	Hannah	Perry	Vacca
Campbell (Tuscaloosa)	Harper	Pierce	Wood
Carr	Hawkins	Posey	Young
Casey			

—77

Nays:

Messrs.	Bolton	Holladay
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—2

And the bill:

H. 227. To make an appropriation of highway department funds for the relief of Kate H. Cardwell.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 5.

Yeas:

Mr. Speaker	Collins	Hawkins	Pierce
Albea	Cook	Heflin	Posey
Avery	Cooper	Hester	Powell
Bailes	Cornett	Hogan	Pruitt
Baker (DeKalb)	Daniel	Ingram	Rogers
Barnett	Doggett	Jones (Covington)	Salter
Bassett	Downing	Jones (Monroe)	Scurlock
Bethea (B)	Drake	Little	Sessions
Bevill	Edington	McDermott	Snell
Boston	Edwards (Escambia)	Mashburn	Steagall
Bowers	Edwards (Lowndes)	Meade	Stembridge
Branyon	Engel	Meeks	Sullivan
Brown (Jefferson)	Fields	Merrill	Teel
Burnham	Fite	Moore	Thomas
Callahan	Glass	Nabors	Turner (Crenshaw)
Camp	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Grouby	Nettles	Turnham
Campbell (Tuscaloosa)	Hankins	Owens	Vacca
Carr	Hannah	Paulk	Wood
Casey	Harper	Perry	Young
Cates			

--81

Nays:

Messrs.	Bolton	Holladay	Locke
Bethea (M)	Etheredge		

—5

And the bill:

H. 177. Regulating further the method for determining capital gains or losses for Alabama income tax purposes; providing that a distribution of corporate stock made to certain shareholders pursuant to an order enforcing the federal antitrust laws and qualifying for certain relief provisions of the federal revenue laws shall be treated as a return of capital.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Boston	Cates	Etheredge
Albea	Bowers	Collins	Fields
Avery	Branyon	Cooper	Fite
Bailes	Brown (Jefferson)	Cornett	Gilmore
Baker (DeKalb)	Brown (Tuscaloosa)	Daniel	Glass
Barnett	Burnham	Doggett	Goldthwaite
Bassett	Callahan	Dominick	Grouby
Bethea (B)	Camp	Downing	Hain
Bethea (M)	Campbell (Jackson)	Drake	Hankins
Bevill	Campbell (Tuscaloosa)	Edington	Hannah
Blanton	Carr	Edwards (Escambia)	Harper
Bolton	Casey	Edwards (Lowndes)	Hawkins

Heflin	Meade	Perry	Snell
Hester	Meeks	Pierce	Steagall
Hogan	Merrill	Posey	Stembridge
Holladay	Moore	Powell	Sullivan
Ingram	Morrow	Pruitt	Thomas
Jones (Covington)	Nabors	Rast	Turner (Limestone)
Jones (Monroe)	NeSmith	Rogers	Turnham
Little	Nettles	Salter	Vacca
Locke	Owens	Scurlock	Wood
McCorquodale	Paulk	Sessions	Young
McDermott			

—89

And the bill:

H. 101. To amend Act No. 161, H. 135, Special Session 1962 (Acts 1962, p. 206), an act making an appropriation from the state general fund for the purpose of making certain capital improvements at Gulf State Park.

Was taken up.

Messrs. Brown (Jefferson) and Rast offered the following amendment to the bill, H. 101:

AMENDMENT TO HB 101

At the end of the first sentence of Section 1 add the following:

At least \$75,000 of said amount shall be used for the purpose of constructing and equipping said fishing pier, and the granting of any concession to charge any fees for any use of said fishing pier shall be based upon competitive bidding and shall be granted or awarded to the competitive bid most favorable to the State of Alabama.

On motion of Mr. Fite the amendment offered by Messrs. Brown (Jefferson) and Rast was laid upon the table.

Yeas 45; Nays 41.

Yeas:

Mr. Speaker	Cooper	Goodwyn	Meade
Albea	Cornett	Grouby	Nettles
Baker (DeKalb)	Daniel	Hannah	Owens
Barnett	Doggett	Harper	Paulk
Bassett	Downing	Hawkins	Posey
Bevill	Drake	Heflin	Steagall
Boston	Edington	Hester	Stembridge
Branyon	Edwards (Escambia)	Jones (Covington)	Teel
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Monroe)	Turner (Crenshaw)
Callahan	Fite	McCorquodale	Turnham
Campbell (Tuscaloosa)	Glass	McDermott	Young
Cook			

—45

Nays:

Messrs.	Bowers	Cates	Hain
Bailes	Brown (Jefferson)	Collins	Hankins
Bethea (B)	Burnham	Dominick	Hogan
Bethea (M)	Camp	Etheredge	Holladay
Blanton	Campbell (Jackson)	Gilmore	Ingram
Bolton	Casey	Goldthwaite	Little

Locke	Perry	Rogers	Snell
Meeks	Pierce	Salter	Turner (Limestone)
Merrill	Powell	Sessions	Vacca
Morrow	Pruitt	Slate	Wood
NeSmith	Rast		

—41

Mr. Brown (Jefferson) offered the following amendment to the bill, H. 101:

AMENDMENT TO HB 101

At the end of the first sentence of Section 1 add the following:

At least \$75,000 of said amount shall be used for the purpose of constructing and equipping said fishing pier.

And the amendment was adopted.

Yeas 90; Nays 3.

Yeas:

Mr. Speaker	Cook	Heflin	Pierce
Avery	Cooper	Hester	Posey
Bailes	Cornett	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Pruitt
Barnett	Doggett	Ingram	Rast
Bassett	Dominick	Jones (Covington)	Rogers
Bethea (B)	Downing	Jones (Monroe)	Salter
Bethea (M)	Drake	Little	Scurlock
Bevill	Edington	Locke	Sessions
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Snell
Boston	Etheredge	Mashburn	Steagall
Bowers	Fields	Meade	Stembridge
Branyon	Fite	Meeks	Sullivan
Brown (Jefferson)	Glass	Merrill	Teel
Brown (Tuscaloosa)	Goldthwaite	Moore	Thomas
Callahan	Goodwyn	Morrow	Turner (Crenshaw)
Camp	Grouby	Nabors	Turner (Limestone)
Campbell (Jackson)	Hain	NeSmith	Turnham
Campbell (Tuscaloosa)	Hankins	Nettles	Vacca
Casey	Hannah	Owens	Wood
Cates	Harper	Paulk	Young
Collins	Hawkins		

—90

Nays:

Messrs.	Albea	Burnham	Perry
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—3

And said bill, H. 101, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 25.

Yeas:

Mr. Speaker	Bassett	Boston	Brown (Jefferson)
Avery	Bevill	Bowers	Brown (Tuscaloosa)
Baker (DeKalb)	Blanton	Branyon	Callahan

Campbell (Jackson)	Fields	Locke	Rast
Campbell (Tuscaloosa)	Fite	McCorquodale	Rogers
Carr	Glass	McDermott	Scurlock
Cates	Goodwyn	Mashburn	Sessions
Collins	Grouby	Meade	Steagall
Cook	Hain	Merrill	Stembridge
Cooper	Hankins	Nabors	Sullivan
Cornett	Hannah	NeSmith	Teel
Daniel	Harper	Nettles	Thomas
Doggett	Heflin	Owens	Turner (Crenshaw)
Downing	Hester	Paulk	Turnham
Drake	Hogan	Posey	Vacca
Edington	Jones (Covington)	Powell	Wood
Edwards (Escambia)	Jones (Monroe)	Pruitt	Young
Edwards (Lowndes)			

—69

Nays:

Messrs.	Burnham	Hawkins	Morrow
Albea	Camp	Holladay	Perry
Bailes	Casey	Ingram	Pierce
Barnett	Dominick	Little	Salter
Bethea (B)	Etheredge	Meeks	Slate
Bethea (M)	Gilmore	Moore	Turner (Limestone)
Bolton	Goldthwaite		

—25

And the bill:

H. 183. To amend further Section 1 of the Farm to Market Road Act of 1943 in relation to the definition of terms as used in the act.

Was taken up.

The motion of Mr. Camp to postpone further consideration of the bill, H. 183, until the next legislative day was lost.

Yeas 32; Nays 58.

Yeas:

Messrs.	Camp	Holladay	Rast
Albea	Collins	Locke	Rogers
Bailes	Dominick	Mashburn	Salter
Bethea (B)	Etheredge	Meeks	Scurlock
Bethea (M)	Gilmore	Morrow	Sessions
Bolton	Goldthwaite	Nabors	Stembridge
Bowers	Goodwyn	Perry	Turner (Limestone)
Brown (Jefferson)	Hogan	Powell	Vacca
Burnham			

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Nays:

Mr. Speaker	Callahan	Doggett	Glass
Barnett	Campbell (Jackson)	Downing	Grouby
Bassett	Carr	Drake	Hain
Bevill	Casey	Edington	Hankins
Bianton	Cook	Edwards (Escambia)	Hannah
Boston	Cooper	Edwards (Lowndes)	Harper
Branyon	Cornett	Fields	Hawkins
Brown (Tuscaloosa)	Daniel	Fite	Heflin

Hester	Meade	Pierce	Teel
Ingram	Merrill	Posey	Thomas
Jones (Covington)	Moore	Pruitt	Turner (Crenshaw)
Jones (Monroe)	NeSmith	Slate	Turnham
Little	Nettles	Snell	Wood
McCorquodale	Owens	Steagall	Young
McDermott	Paulk		

—58

And said bill, H. 183, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 16.

Yeas:

Mr. Speaker	Cornett	Heflin	Paulk
Albea	Daniel	Hester	Pierce
Avery	Doggett	Hogan	Posey
Barnett	Downing	Holladay	Pruitt
Bassett	Drake	Ingram	Salter
Bevill	Edington	Jones (Covington)	Scurlock
Blanton	Edwards (Escambia)	Jones (Monroe)	Slate
Boston	Edwards (Lowndes)	Little	Snell
Branyon	Fields	McCorquodale	Steagall
Brown (Tuscaloosa)	Fite	McDermott	Stembridge
Burnham	Glass	Mashburn	Sullivan
Callahan	Goldthwaite	Meade	Teel
Campbell (Jackson)	Goodwyn	Merrill	Thomas
Campbell (Tuscaloosa)	Grouby	Moore	Turner (Crenshaw)
Carr	Hain	Nabors	Turnham
Casey	Hankins	NeSmith	Vacca
Cates	Hannah	Nettles	Wood
Cook	Harper	Owens	Young
Cooper	Hawkins		

—74

Nays:

Messrs.	Brown (Jefferson)	Gilmore	Perry
Bailes	Collins	Locke	Rast
Bethea (B)	Dominick	Meeks	Rogers
Bethea (M)	Etheredge	Morrow	Sessions
Bowers			

—16

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 17. WHEREAS, the Walter F. George Lock and Dam at Fort Gaines, Georgia, has inundated lands to form a reservoir and lake covering large areas of the rich Chattahoochee Valley in the heartland of the once great Creek Indian nation, the Eufaula tribe of which had occupied the immediate area as its own domain and hunting ground for centuries and

in which they had built many villages, including the Indian town of Eufaula from which the present city of Eufaula took its name; and,

WHEREAS, the area is rich in Indian tradition and lore and everywhere manifests the bounty of nature in rich lands, abundant water, mild climate, and wooded terrain which made it cherished by the Eufaula Indians and which for the same reasons has made it cherished by the present inhabitants of the area who are now striving to create a magnificent lake paradise for sportsmen and nature enthusiasts and in this manner perpetuate the memory and historic lore of the tribe Eufaula; and,

WHEREAS, Governor George C. Wallace; Senators Lister Hill and John Sparkman; and Congressmen George Andrews, Carl Elliott, George Grant, George Huddleston, Jr., R. E. (Bob) Jones, Jr., Albert Rains, Kenneth A. Roberts, and Armistead I. Selden, Jr. have each endorsed the name "Lake Eufaula" as suitable and appropriate; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the lake formed by the waters of the Walter F. George Lock and Dam shall be designated and named "Lake Eufaula," and that the state highway department determine suitable locations and appropriate wording for signs which shall be erected by the state highway department on all public roads leading to Lake Eufaula, indicating the designation herein made.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to the individual members of the Alabama Congressional delegation, to the county governing body of Barbour County and to the mayor of the city of Eufaula.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Thomas the rules were suspended and the House concurred in and adopted the S.J.R. 17 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Tyson and Robison (Montgomery):

S. J. R. 15. WHEREAS Pitt Tyson Maner, beloved native of Montgomery, long time Democratic and civic leader, and public servant passed away at his home on June 12th, 1963; and

WHEREAS Mr. Maner, not only by his personal charm and sweetness of character but also by his loyalty and devotion, numbered his friends by the thousands; and

WHEREAS Mr. Maner, son of families long prominent in Alabama, his mother being Mrs. Sallie Tyson Maner and his father the late Olin Conner Maner who was a practicing Montgomery attorney for more than

fifty years, held in his own right a long record of public service including delegate or alternate delegate to Democratic conventions since 1932, President of the Young Democrats of America in 1937, executive-secretary to Governor Bibb Graves during two administrations, nominee for vice president of the United States in 1956, director of the Alabama Department of Industrial Relations, and Alabama director of the Department of Civil Defense; and

WHEREAS Mr. Maner was affiliated with the Methodist Church, was a Mason, a Shriner, an Elk, and an ardent sportsman, among whose groups he was an active participant contributing much in his varied interests; and

WHEREAS Mr. Maner is survived by his son, Pitt Tyson Maner, Jr., and a grandson Pitt Maner III of Tallahassee, Florida, and his mother Mrs. Sallie Tyson Maner of Montgomery; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature expresses its deepest sorrow at the passing of Pitt Tyson Maner, beloved friend and public servant, and extends its sincerest sympathy to his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the family of Mr. Maner.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the rules were suspended and the House concurred in and adopted the S.J.R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McDow:

S. J. R. 16. WHEREAS, Dr. Howard M. Phillips terminated his service as President of Alabama College at Montevallo on June 1, 1963 in order to assume the presidency of Birmingham Southern College; and

WHEREAS, Dr. Phillips has served the interests of higher education in Alabama and the South with energetic and intelligent leadership, and through his service and international prestige has brought favorable recognition not only to Alabama College, but to the South and to the Nation; and

WHEREAS, since assuming the presidency of Alabama College, he also has served as executive-secretary of the Southern University Conference; chairman of the Committee on Standards 15 and 21 of the Southern Association of Colleges and Schools; chairman of the Alabama Committee on Nuclear Energy Studies; member of the board of directors of the Birming-

ham Symphony Orchestra; president of the Association of Alabama College Administrators; chairman of the Committee on Admissions; Senior Colleges of the Southern Association of Colleges and Schools; and president of the Executive Committee of the Division of Higher Education of the Alabama Education Association; and

WHEREAS, under Dr. Phillips' progressive leadership, enrollment at Alabama College has more than tripled, and the position of the college has advanced to one of prestige and recognition throughout the Nation; and

WHEREAS, the devoted service and vast achievements of this educator and administrator has added dignity and prestige to the teaching profession, and has contributed immeasurably to the advancement of education and the enrichment of the social, cultural, and economic lives of the people of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING: That this body expresses the sense of grateful appreciation felt by all the citizens of Alabama for Dr. Phillips' great services to our state, and wishes for him the fullest measure of continued success in his new assignment.

BE IT FURTHER RESOLVED That copies of this resolution be mailed to Dr. Phillips and to the chairman of the Alabama College Board of Trustees.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Cates the rules were suspended and the House concurred in and adopted the S.J.R. 16 set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 43. Relative to applauding the program sponsored by The Future Homemakers of America and congratulating Miss Jane Eden, President of the Alabama Chapter.

Also:

H. J. R. 45. Relative to Honorable Charles Cooper, Director of the Legislative Reference Service.

Also:

H. J. R. 46. Relative to a joint session for the purpose of hearing an address by Dr. Edward R. Annis, President-Elect of the American Medical Association.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 41. Relative to mourning the death of the Honorable John H. Garrett.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 48. Relative to a recent article by Bob Farrell, Columnist for "The Brooklyn Eagle", Brooklyn, N. Y.

Also:

H. J. R. 49. Relative to commending Governor George C. Wallace on his poised and dignified performance in his appearance on "Meet the Press", national television program.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length

having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 51. Relative to expressing appreciation to the Birmingham Chamber of Commerce and to the members of the Jefferson County Delegation for the delightful "Dixieland Supper".

Also:

H. J. R. 52. Relative to mourning the death of the Honorable John Milton Snodgrass.

Also:

H. J. R. 53. Relative to reserving the Senate and House Chambers for the use of "The American Legion Girls' State."

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

BILLS ON THIRD READING RESUMED

H. 230. Relating to vocational trade schools; providing that upon the conveyance of the Alabama Institute of Aviation Technology by the city board of education, Ozark, Alabama, to the State of Alabama, that the state board of education be authorized, directed and required to provide for the operation and maintenance of said Alabama Institute of Aviation Technology as an additional Vocational Trade School.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 7.

Yeas:

Mr. Speaker	Bassett	Boston	Camp
Albee	Bethea (E)	Bowers	Campbell (Jackson)
Avery	Bevill	Brown (Jefferson)	Carr
Baker (DeKalb)	Blanton	Burnham	Casey
Barnett	Bolton	Callahan	Cates

Collins	Goldthwaite	Little	Pruitt
Cook	Goodwyn	McDermott	Rogers
Cooper	Grouby	Mashburn	Salter
Cornett	Hain	Merrill	Scurlock
Daniel	Hankins	Moore	Snell
Doggett	Hannah	Nabors	Steagall
Downing	Harper	NeSmith	Teel
Drake	Heflin	Nettles	Thomas
Edington	Hester	Owens	Turner (Limestone)
Edwards (Escambia)	Hogan	Paulk	Turnham
Edwards (Lowndes)	Holladay	Perry	Vacca
Etheredge	Ingram	Pierce	Wood
Gilmore	Jones (Covington)	Posey	Young
Glass	Jones (Monroe)	Powell	

—75

Nays:

Messrs.	Bethea (M)	Campbell (Tuscaloosa)	Hawkins
Bailes	Branyon	Dominick	Locke

—7

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 130, was adopted.

CONSIDERATION OF H. 130

And the bill:

H. 130. To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379) as last amended.

Was taken up.

Mr. McCorquodale offered the following substitute for the bill, H. 130:

Substitute for H. B. 130

A BILL TO BE ENTITLED AN ACT

To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Purpose. The improvement and conservation of the ground and surface waters of the State of Alabama is of utmost importance. The existing water conditions of the state and the right of municipalities, industries and individuals to the reasonable use of such waters so as to pro-

mote the continued growth and development of the state, in industry, agriculture, health, and conservation of natural resources is recognized.

Section 2. Definitions. When used in this Act the terms defined shall have the meanings here ascribed to them unless it clearly appears from the context that some other meaning is indicated.

"Commission" means the Water Improvement Commission; and "member" means a member of said commission.

"Waters" means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state.

"Sewage" means water-carried human wastes from residences, buildings, industrial establishments or other places, together with such ground, surface, storm or other waters as may be present.

"Industrial wastes" means liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of any natural resources.

"Other wastes" means decayed wood, sawdust, shavings, bark, lime, refuse, ashes, offal, oil, tar, chemicals and all other substances, except industrial wastes and sewage, which may cause pollution of any surface waters of the state.

"Pollution" means the discharge or deposit of sewage, industrial wastes, or other wastes in such condition, manner or quantity as may cause ground or surface water to be contaminated, unclean, or impure to such an extent as to make said waters detrimental to the public health or to the health of animals, fish or aquatic life; unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses.

"Person" means any and all persons, natural or artificial, including any individual, firm, or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

Section 3. Commission created; members, compensation and expenses; meetings; administrative and disbursing agent. (a) There is hereby created a Water Improvement Commission consisting of 16 members as follows: The State Health Officer, who shall be the chairman of the Commission; the Director of the Department of Conservation, who shall be Vice Chairman; the Commissioner of the Department of Agriculture and Industries; the State Geologist; one member representative of municipal government, one member representative of county government; one member representative of wildlife conservation; six members respectively representative of the following six industries of the State, viz: Mining, Textiles, Chemicals, Lumbering, Paper, Metals; one member from the University of Alabama, possessing related scientific or technical training, to be designated by the Dean of the School of Engineering of the University of Alabama; and one member from the Auburn University, possessing related scientific or technical training, to be designated by the Dean of the School of Agriculture of the Auburn University; and one member representative of the Alabama Fisheries Association.

(b) The four ex-officio members shall hold office as such throughout their respective terms and until the appointment and qualification of their successors as such. The representatives of the University of Alabama and the Auburn University shall hold office for six years. The remaining ten members of the Commission shall be appointed by the Governor and shall

hold office for a term of six years. The member representative of a municipal government shall be appointed from three nominees made by Alabama League of Municipalities; the member representative of county government shall be appointed from three nominees made by Association of County Commissioners of Alabama; the member representative of wildlife conservation shall be appointed from three nominees made by Alabama Wildlife Federation; the members representative of Mining, Textiles, Chemicals, Lumbering, Paper and Metals shall be appointed from three nominees for each of said industries, such nominations to be made by Alabama Mining Institute for Mining; Alabama Cotton Manufacturers Association for Textiles; Alabama State Chamber of Commerce for Chemicals; Alabama Forest Products Association for Lumbering; Associated Industries of Alabama for Paper; and Alabama Mining Institute for Metals; the member representative of the Alabama Fisheries Association shall be appointed from a list of three nominees made by the Association. In the event any such organization shall fail to make such nominations within sixty days after receipt of notice from the Chairman of the Commission, the Governor shall make any such appointment in his own discretion. The technical secretary of the Commission shall report the absence of any representative from three consecutive meetings to the Commission. The Commission, by majority vote, may declare the position of such absentee representative vacant. If the Commission shall so vote, the technical secretary shall forthwith notify the agency of the Commission's action and such agency shall, within sixty days, send to the Governor the names of three nominees and the appointment of a successor shall be made by the Governor in the manner provided for in this section.

(c) Upon the death, resignation or removal of any appointed member, the Governor shall, upon certification thereof to him by the Commission, appoint some qualified person to fill the vacancy for the unexpired term of said member, in the manner provided for in subsection (b). Upon the death, resignation or removal of the member appointed by the Dean of the School of Engineering of the University of Alabama to represent the University of Alabama, or the member appointed by the Dean of the School of Agriculture of the Auburn University to represent the Auburn University, notice of such vacancy shall be made in writing to the appointing officer of the school from which the vacancy occurred, who shall, within thirty days after receipt of such notification, inform the Chairman of the Commission in writing of a replacement upon the Commission to fill the vacancy for the unexpired term. The term of office of every member shall be from the date of his appointment and qualification until the appointment and qualification of his successor. All members shall have been residents of the State of Alabama for two or more years prior to their appointment. The Chief Sanitary Engineer, Director of the Bureau of Sanitation, of the Department of Public Health shall serve as technical secretary to the Commission.

(d) No salary or compensation shall be allowed any member of the Commission for services thereon; this shall not, however, be construed to affect in any way the regular compensation of officials of state departments and of representatives of state institutions, who by virtue of their position are members of the Commission, services on the Commission being considered a part of the duties of such officials as representative of the respective departments and institutions. Actual and necessary travel subsistence, and other expenses incurred by members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid as provided by law from any funds which are or may become available for the purposes of this Act.

(e) The Commission shall meet regularly in April and October of each year and special meetings may be held at any time or place determined by the Commission or upon call of the chairman or upon written request of any five members to take up any matters within its jurisdiction, provided

that all members shall be notified of the time and place of any regular or special meeting at least ten days in advance of such meetings.

(f) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the technical secretary and open to public inspection.

(g) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose.

(h) There is hereby created an Executive Committee of the Water Improvement Commission consisting of five of its members as follows: The State Health Officer who shall be the Chairman of the Executive Committee; the Director of the Department of Conservation; the members representative of Municipal Government, and member representative of industry, and the member representative of wildlife conservation. The executive Committee may meet at any time or place upon call by the Chairman and, when the full Commission is not assembled, said Executive Committee may act for the full Commission and shall possess all such powers and jurisdiction of said Commission as may be delegated to it by said Commission.

(i) Nine members of the Commission shall constitute a quorum for the transaction of Commission business.

(j) The incumbent members of the Water Improvement Commission as established under Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379), as amended, shall constitute the membership of the Commission provided for in this Act and shall continue to serve until their successors are appointed as provided in Section 3 (b) or (c).

Section 4. Powers and duties of Commission; review and enforcement of orders. It shall be the duty of the Commission, and it shall have authority insofar as is reasonable, scientifically possible, economically feasible and physically attainable from a practical standpoint:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the State. To conduct independently and in cooperation with others, studies, investigations, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including Federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any such cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research, or other uses for which such moneys were granted or donated, shall remain to the credit of the Water Improvement Commission Fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the commission to conduct surveys with re-

spect to the pollution of any streams in the state either navigable or not navigable; to establish criteria standards for recognized limits of pollution; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution. Such surveys, determinations and recommendations shall reflect not only what is scientifically possible but also what is economically feasible and physically attainable from a practical standpoint.

(c) Every person, municipality, industrial or other establishment, shall furnish to the commission within a reasonable time after written request therefor, all pertinent information within their knowledge required by it in the discharge of its duties under this Act; provided, however, that no person or industry shall be required to disclose any secret formulae, processes, or methods. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the commission. Any judge of a court of record, either in term time, or vacation, upon application of the chairman or acting chairman of the commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the commission or any agent thereof by attachment, or contempt or otherwise, in the same manner as the production of evidence shall be compelled before said court. The chairman of the commission shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the commission to render a formal report biennially to the governor and each succeeding legislature in regular session assembled, of its activities and progress, and including any recommendations for amendment of this Act.

(e) It shall be the further duty of the commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(f) It shall be the duty of the commission to exercise general supervision over the administration and enforcement of all laws relating to pollution of the waters of the State. Whenever the commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or order of the commission promulgated thereunder, the commission may notify such person of such determination of the commission. The notice may be served by registered mail or by an officer empowered to serve process under existing law or by an officer or agent of the commission. Within such time as may be specified in such notice, such personal shall file with the commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the commission may make such orders as in its opinion are deemed reasonable, scientifically possible, economically feasible and physically attainable from a practical standpoint to prevent or correct such violation.

(g) It shall be the duty of the commission, after notice as hereinafter provided, to establish such standards of quality for any waters in relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standards of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must

take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Prior to establishing standards as herein provided, the commission shall cause to be published in a newspaper published in and of general circulation in each county within which any such waters, wholly or partially, are located a notice in substantially the following forms:

NOTICE

Of Water Improvement Commission

Notice is hereby given that a meeting of the Water Improvement Commission of the State of Alabama will be held on the _____ day of _____, 19____, at _____ for the purpose of establishing standards of quality in those certain waters in the county or counties of _____, Alabama, described at follows: _____ (Describe waters) _____ Anyone desiring to be heard may appear at said meeting.

Water Improvement Commission

By: _____
Chairman

Such notice shall be published once a week for three consecutive weeks prior to the holding of any meeting of the commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county court house of said county for a period of three weeks prior to holding of any such meeting of the commission.

(h) It shall be the duty of the commission to receive and examine applications, plans, specifications and other data and to issue permits for the discharge of sewage, industrial waste and other waste into the waters of the state, stipulating in each permit the conditions under which such discharge may be permitted. Any order of the commission with respect to the issuance of a permit shall be subject to review and appeal by the applicant as provided in subsection (n).

(i) It shall be the duty of the commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act.

(j) It shall be the duty of the commission to issue orders directing particular persons responsible for pollution to secure within a reasonable time such operating results toward the control of pollution as the commission may prescribe in accordance with this Act. Every person who, on the date immediately preceding the effective date of this Act, is discharging any pollution into any waters of this State under a permit of the then existing commission may continue to do so under said permit unless and until the commission takes steps to modify the terms of the permit. Every person who, subsequent to the effective date of this Act, begins discharging any new or increased pollution into any waters of this State shall apply to the commission in writing for a permit and shall obtain such permit before discharging such pollution. Every person who, on the day immediately preceding the effective date of this Act, is discharging any pollution into any waters of this State without a permit covering such discharge may, in accordance with the terms of this Act, be required by the commission to apply for such a permit as a condition of continuing such discharge. Whenever the commission may determine after survey and investigation of the particular discharge, of which the affected party shall have been given

written notice in advance, that such discharge may not meet the requirements of this Act or the rules and regulations or orders of the commission, as the same may be applicable to such discharge, the commission must require the municipality, industry or person discharging such pollution to apply for a permit with respect thereto. The applicant shall be granted a temporary permit upon his representation that a study looking toward improvement or control of the pollution is underway or will be instituted. The applicant shall be allowed a reasonable time, not exceeding twelve months, in which to develop and submit a plan to the commission. If the plan submitted is satisfactory and approved by the commission, a permanent permit shall be issued subject to compliance with such plan; however, if the plan is not satisfactory as submitted, the applicant shall be allowed a further period, not exceeding twelve months, in which to submit a revised plan. The commission shall have 90 days in which to act on any such plan submitted. A person who does not submit a plan satisfactory to the commission as herein provided shall be required to install within five years thereafter, such system, devices, or methods as the commission determines necessary to control his pollution.

Among other things which may make any order of the commission unreasonable and not in conformity with the provisions of this Act, such an order shall not be considered reasonable and in conformity with the provisions of this Act if it imposes more stringent water specifications than are being or have been imposed with respect to new or increased pollution subsequent to August 25, 1949, or it does not appreciably reduce the amount of pollution in any waters used for recreational, navigational, or public water supply purposes.

(k) The commission shall investigate from time to time the discharge of pollution into the waters of the State, and if such investigation discloses that the discharge is not being made by a permittee in accordance with terms and specifications of a permit, the commission may issue to the permittee an order to cease and desist from the acts or practices specified in the order.

(l) The Commission may enter into agreement with the responsible authorities of the Federal government and of other states, subject to the approval of the governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by appropriate general and special orders. This power shall not be deemed to extend to the modification of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the commission shall be the agency for the administration and enforcement of any such legislative agreement.

(m) When the commission makes any order directing any person or persons to do or not to do any act specified therein, a copy of such order shall be served upon such person or persons by registered mail or by other method provided in subsection (b) for service of process, and such person or persons may within a period of 30 days after such service, obtain a review of the order as provided in subsection (n). If no such review is obtained, then at the expiration of said period of 30 days after such service, the order of the commission shall become final and conclusive. Service by registered mail as provided in this Act shall be had by mailing to the person to be served, postage prepaid, the papers to be served. The envelope containing such papers shall be marked "For Delivery Only to the Person to Whom Addressed" and a return receipt to be addressed to the commission shall be demanded of the post office authority. Such return receipt when received shall be filed in the commission's records and an entry shall be made upon such records of the date that the return receipt was received. Such receipt and record entry shall be prima facie evidence of service of process upon the person to whom the registered letter was ad-

dressed and service, for the purposes of this Act, shall be dated from the date of the receipt by the commission of the return receipt.

(n) Any person who shall feel himself aggrieved by any rule or order of the commission shall have the right to obtain a review thereof by filing with the commission, within the time provided in subsection (m), a sworn petition setting forth the grounds and reasons for his complaint and asking for a hearing of the matter involved. The commission shall thereupon fix the time and place of such hearing and shall notify the petitioner thereof by registered mail not less than ten days in advance of the hearing. At any time prior to the commencement of the hearing, any person may become an intervenor in the proceedings by filing a sworn petition setting forth facts showing that his rights may be prejudiced by an order of the commission in the matter involved. The commission and its members shall have full power to subpoena witnesses for the commission, for the petitioner and for any intervenor, to administer oaths, examine witnesses under oath and conduct the hearing. At such hearing, the petitioner and any intervenor may appear, present witnesses and submit evidence.

The order or determination of the commission shall be served on the petitioner and any intervenor by registered mail or by other method provided in subsection (f) for service of process. At the expiration of 30 days from the date of serving on the parties such order or determination of the commission upon the matters including in the hearing, the said order shall become final and conclusive unless the petitioner, or any intervenor whose rights are prejudiced by said order of the commission, shall, within such period of 30 days after the service of such final order, appeal to the circuit court of the county where the hearing was had or of the county of the situs in whole or in part of the subject matter of the hearing, by giving cost bond with sufficient securities payable to the state, in such amount not less than \$100.00 nor more than \$500.00 as may be fixed in the order appealed from, said cost bond to be filed with and approved by the chairman of the commission, who shall forthwith certify to the circuit court to which the appeal is taken, the said cost bond together with a certified copy of the record of all proceedings of the commission in the matter appealed from, but not including a transcript of the testimony of witnesses or other evidence. Said matter shall be tried de novo on the equity side of said circuit court and shall be a preference case on the docket thereof. On such trial the court shall have jurisdiction to determine whether said order of the commission is lawful, and whether the same is reasonable or unreasonable, requires only what is scientifically possible, economically feasible, and physically attainable from a practical standpoint, and whether a polluted condition of any water or waters exists or is about to exist as set forth in the order appealed from, and to affirm, modify or wholly set aside such order, it being the intent and purpose of this Act that the order of said commission, when appealed as hereinabove provided, shall be final and conclusive only when so determined by such court. The judgment of the circuit court shall be certified to the commission. Any party to such action may within 30 days after judgment appeal to the Supreme Court of Alabama under the same procedure as governs appeals from courts of equity. If a supersedeas is desired by the party appealing, he may apply therefor to the judge of the court from which said appeal is taken, who shall award a writ of supersedeas, without additional bond, if, in his judgment, material damage is not likely to result thereby. Otherwise, said judge shall require such supersedeas bond as he deems proper, made payable to the State of Alabama in such amount as he shall require.

(o) The State Department of Public Health shall make such inspections, conduct such investigations, and do such other things as may be necessary to co-operate with the commission in carrying out the provisions of this Act.

(p) Upon complaint made by the commission, any person found

guilty of willfully violating Section 4 or any order of the commission which is made in pursuance of the provisions of this Act and which has become final and conclusive as provided in this Act shall be deemed guilty of a misdemeanor.

(q) The commission may recover damages by action at law in the circuit court for loss of destruction of fish or marine life caused by pollution of the waters of the state resulting from the wrongful act, omission or negligence of a person. Both punitive and compensatory damages may be recovered in a case where the pollution resulted from wilful or wanton conduct on the part of the polluter; compensatory damages alone may be awarded when the pollution is caused by a negligent act or omission. Damages shall not be allowed in any case when the pollution is the result of an act of God. Such suits shall be filed in the name of the State by the attorney general, at the direction of the commission, in the county, or in the case of more than one county, in any county in which such fish or marine life or any part thereof were so destroyed or killed. Such sums as may be recovered as punitive or compensatory damages for the loss or destruction of fish or marine life shall be credited as follows: $\frac{1}{2}$ to General Fund of State and $\frac{1}{2}$ to General Fund of the County or Counties in which fish kill occurred.

Section 5. Funds, facilities and personnel. The commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act, either directly to the commission or in any of the state departments or from federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supersede any of the powers or duties of said cooperating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the commission. There is hereby created and there shall be a fund which shall be known as the water improvement commission fund. This fund shall consist of: (a) All moneys appropriated to the commission by the State legislature of Alabama; (b) All moneys received by the commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations or industries; (d) All moneys derived through any source of Federal aid; and (e) All moneys accruing to the commission from any source whatsoever. The fund shall be used and expended by the chairman of the commission in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the chairman of the commission in furtherance of any of the provisions of this Act. All necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the chairman of the commission as may be deemed advisable. The commission is authorized to employ such consultants and full time technical and clerical and other workers as are necessary and within the available funds to carry out the purposes of this Act. The technical staff to be employed by the commission shall be selected from, but not limited to, the following professional groups: sanitary engineer, chemical engineer, biochemist, geologist, fish culturist, mining engineer, agricultural engineer, forest engineer, analytical chemist, agronomist, bacteriologist, and biologist.

Section 6. Act intended to supplement existing law. This Act is intended to supplement existing law, and no part thereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the protection of fish and game of the state; however, Act No. 523, Regular Session of 1947 (Gen. Acts 1947, p. 379) as amended, is hereby expressly repealed.

Section 7. The members of the Water Improvement Commission who are serving their terms upon the effective date of this Act shall, upon the effective date of this Act, become members of the commission here in established, it being the intent that the present membership of the Water Improvement Commission constitute and become the new commission with the terms of each of the members remaining unchanged. It is further provided that all of the matters now pending before the Water Improvement Commission be and the same are hereby transferred to the jurisdiction of the new commission and that all actions heretofore taken and jurisdiction heretofore exercised by the Water Improvement Advisory Commission or Water Improvement Commission, as the case may be, shall be considered as having been acts of the new commission, it being the intent of this Act that the new commission supersede and replace, but continue all business and affairs, of the Water Improvement Commission.

Section 8. If any clause, sentence, paragraph, provision, part of section of the Act shall for any reason be adjudged by any court of competent jurisdiction invalid such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, provisions, part or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. This Act shall take effect on the first day of the month next following the date of its enactment.

MOTION TO ADJOURN LOST

The motion of Mr. Callahan that the House adjourn until Tuesday, June 18, 1963, at ten o'clock A.M. was lost.

Yeas 30; Nays 64.

Yeas:

Messrs.	Callahan	Edwards (Escambia)	Posey
Albea	Camp	Fields	Powell
Avery	Campbell (Jackson)	Hain	Salter
Barnett	Campbell (Tuscaloosa)	Hester	Steagall
Bevill	Casey	Ingram	Stembridge
Blanton	Downing	Meade	Sullivan
Bolton	Drake	NeSmith	Teel
Brown (Tuscaloosa)	Edington	Paulk	

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Nays:

Mr. Speaker	Cornett	Hawkins	Owens
Bailes	Daniel	Heflin	Perry
Baker (DeKalb)	Doggett	Hogan	Pierce
Bassett	Dominick	Holladay	Fruitt
Bethea (B)	Edwards (Lowndes)	Jones (Covington)	Rast
Bethea (M)	Engel	Little	Rogers
Boston	Etheredge	Locke	Scurlock
Bowers	Fite	McCorquodale	Sessions
Branyon	Gilmore	McDermott	Slate
Brown (Jefferson)	Glass	Mashburn	Thomas
Burnham	Goldthwaite	Meeks	Turner (Crenshaw)
Carr	Goodwyn	Merrill	Turner (Limestone)
Cates	Grouby	Moore	Turnham
Collins	Hankins	Morrow	Vacca
Cook	Hannah	Nabors	Wood
Cooper	Harper	Nettles	Young

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CONSIDERATION OF H. 130 RESUMED

H. 130. To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379) as last amended.

Was again taken up.

On motion of Mr. McCorquodale, the motion of Mr. Bolton to postpone further consideration of the bill, H. 130, and pending substitute, until the next legislative day, was laid upon the table.

Yeas 49; Nays 42.

Yeas:

Mr. Speaker	Downing	McDermott	Rast
Bassett	Engel	Mashburn	Rogers
Bethea (B)	Etheredge	Meade	Salter
Bowers	Fite	Meeks	Sessions
Branyon	Glass	Merrill	Sullivan
Brown (Jefferson)	Hawkins	Morrow	Thomas
Carr	Heflin	Nabors	Turner (Crenshaw)
Collins	Hogan	Nettles	Turner (Limestone)
Cook	Holladay	Owens	Turnham
Cornett	Jones (Monroe)	Paulk	Vacca
Daniel	Locke	Perry	Wood
Doggett	McCorquodale	Pruitt	Young
Dominick			

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Nays:

Messrs.	Callahan	Goldthwaite	Moore
Albea	Camp	Goodwyn	NeSmith
Avery	Campbell (Jackson)	Grouby	Pierce
Bailes	Casey	Hain	Posey
Barnett	Cooper	Hankins	Powell
Bethea (M)	Drake	Hannah	Scurlock
Blanton	Edington	Harper	Slate
Bolton	Edwards (Escambia)	Hester	Snell
Boston	Edwards (Lowndes)	Ingram	Steagall
Brown (Tuscaloosa)	Fields	Jones (Covington)	Teel
Burnham	Gilmore	Little	

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ADJOURNMENT

On motion of Mr. McCorquodale the House adjourned until Tuesday, June 18, 1963, at twelve o'clock, noon.

FIFTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 18, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Forrest Hicks, Pastor, Goode Street Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Harper	Pierce
Avery	Cook	Hawkins	Posey
Bailes	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Barnett	Crawford	Hogan	Rast
Bassett	Daniel	Ingram	Reynolds
Bethea (B)	Davis	Jones (Covington)	Rogers
Bethea (M)	Doggett	Jones (Monroe)	Salter
Bevill	Dominick	Little	Scurlock
Blanton	Downing	Locke	Sessions
Bolton	Drake	McCorquodale	Slate
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Martin	Snell
Branyon	Edwards (Lowndes)	Mashburn	Steagall
Brown (Jefferson)	Engel	Meade	Stembridge
Brown (Tuscaloosa)	Etheredge	Meeks	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Moore	Thomas
Callahan	Gilmore	Morrow	Turner (Crenshaw)
Camp	Glass	Nabors	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Nettles	Vacca
Cantrell	Grouby	Owens	Wood
Carr	Hain	Paulk	Young
Casey	Hankins	Pennington	

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourteenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Goodwyn, the reading at length of the Journal of the House for the fourteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Slate, Chairman of the Standing Committee on Public Welfare, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 50. To provide further for assistance to blind persons.

H. 504. To adopt the Interstate Compact On Juveniles, to authorize the Governor to execute the Compact with other states; to designate the Commissioner, State Department of Pensions and Security, as Compact Administrator and to empower him to make supplementary agreements and arrangements for cooperative services on the Compact.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 480. To amend further Act No. 541, H. 512, Regular Session 1951, an act providing for the allocation of the duties of the chairman and members of the city commission of certain cities classified on a population basis and providing for their compensation.

H. 489. Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32 and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

H. 490. Relating to Lauderdale County, providing for additional meetings of the board of registrars.

H. 491. To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

H. 493. Relating to counties having populations of not less than 15,400 nor more than 16,000; fixing the compensation of the county or deputy solicitor in such counties.

H. 497. To propose an amendment to the Constitution of Alabama relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of the officers of Marshall County.

The above bill was read a second time at length as required by the Constitution.

H. 484. To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 501. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Acts No. 315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 506. Relating to the first judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Albea, Burnham and Merrill (With Notice and Proof):

H. 507. Relating to Calhoun County; to provide for separation of the offices of clerk of the circuit court and register in chancery which were consolidated by an act approved September 19, 1949; placing these officers on a salary basis, and providing for the operation of such offices on such basis; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 507:

STATE OF ALABAMA COUNTY OF CALHOUN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Calhoun County; to provide for separation of the offices of clerk of the circuit court and register in chancery which were consolidated by an act approved September 19, 1949; placing these officers on a salary basis, and providing for the operation of such offices on such basis; repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The office, duties, and functions of the circuit clerk, or clerk of the circuit court of Calhoun County, shall be separate from the office of register in chancery, or register of the circuit court of Calhoun County, and the same person shall not fill both offices simultaneously. The two offices, which were consolidated by an act approved September 19, 1949, are hereby disjoined, and the offices of circuit clerk and register of the circuit court hereafter shall be disunited. The governing body of Calhoun County shall provide the circuit clerk and register with the offices, books, stationery, office equipment, supplies, postage, and other conveniences and equipment necessary for the proper and efficient conduct of their respective offices, as prescribed by law.

Section 2. The clerk of the circuit court shall receive compensation in the amount of \$6,000.00 per annum, which shall be paid in equal monthly installments from the general funds of the county. The register of the circuit court shall be entitled to receive compensation in the amount of \$6,000.00, per annum, which shall be paid in equal monthly installments from the general funds of the county. The clerk of the circuit court shall have an annual allowance of \$12,600.00 and the register shall have an annual allowance of \$7,400.00 for clerk hire, payable from the general funds of the county, as the county governing body may direct.

Section 3. All fees, commissions, percentages, and allowances, accruing to the use of the circuit clerk or the register, as prescribed by law, shall be collected and paid into the general fund of the county treasury.

Section 4. The circuit clerk may appoint a deputy, who shall have and exercise the duties and powers of his principal and shall receive salary of an amount to be determined by his principal paid in equal monthly installments out of the general fund of the county. But before such deputy enters upon the discharge and performance of his duties, he must file with the probate judge a bond conditioned upon his faithfully performing the duties of his office. The penalty of such bond shall be fixed by the governing body of Calhoun County and the sureties thereon must be approved by that body. The premiums on such bond shall be paid out of the general fund of the county.

Section 5. Act No. 580, H. 1072, Regular Session 1949, (Acts 1949, p. 909) and Act No. 575, H. 660, Regular Session 1951, (Acts 1951, p. 1013), Act No. 300, H. 672, Regular Session 1953, (Acts 1953, p. 361), and all other laws or parts of laws which conflict with this Act are hereby repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective upon the expiration of the term of office of the incumbent clerk of the circuit court.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF CALHOUN**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ralph W. Callahan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was General Manager of the Anniston Star, a newspaper of general circulation published in Calhoun County, Alabama, and that the attached

notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 25, June 1, 8, and 15, all in the year 1963.

RALPH W. CALLAHAN.

Sworn to and subscribed before me June 18, 1963.

LOLA J. BRIGHT,
Title Notary Public.

By Messrs. Turner (Crenshaw), Cook, Goodwyn and Nabors:

H. 508. To provide a confidential stenographic secretary for the Director of the Department of Finance and the Director of the State Highway Department.

Ways and Means.

By Mr. Steagall (With Notice and Proof):

H. 509. Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Local Legislation No. 1.

Notice and Proof H. 509:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. All farm and pasture land annexed to the town of Newton, in Dale County, by Act No. 831, H. 1192, Regular Session 1961 (Acts 1961, p. 1225), the improvements thereon and the appurtenances thereunto appertaining, shall be exempt from all ad valorem taxation by the town of Newton during the time such property is used for farming or grazing purposes.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1963.

JOHN Q. ADAMS.

Sworn to and subscribed before me June 17, 1963.

HENRY B. STEAGALL, II.,
Title Notary Public.

By Mr. Steagall (With Notice and Proof):

H. 510. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body."

Local Legislation No. 1.

Notice and Proof H. 510:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF DALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body," is hereby amended to read as follows:

"Section 1. Each member of the court of county commissioners, board of revenue, or like governing body of Dale County, except the chairman or other presiding officer, shall receive a salary of two thousand four hundred dollars (\$2,400.00) per annum, payable in equal monthly installments out of the county treasury. In addition, members of the governing

body other than the chairman or other presiding officer shall each receive an allowance of One Hundred Seventy-Five Dollars per month, payable out of the county treasury, as reimbursement for expenses incurred by them in the performance of their duties as members of the county governing body. The compensation provided for herein shall be in lieu of all other compensation provided by law. The chairman or other presiding officer of the court of county commissioners, board of revenue, or like governing body of Dale County shall continue to receive the same compensation as the chairman or other presiding officer of county governing bodies under the general law."

Section 2. This Act shall become effective upon the expiration of the term or terms of the incumbent member or members whose term or terms first expire.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF DALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared John Q. Adams, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1963.

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me June 17, 1963.

HENRY B. STEAGALL, II.,
Title Notary Public.

By Mr. Baker (DeKalb) (With Notice and Proof):

H. 511. To authorize the Governing Body of DeKalb County Alabama to pay the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to Richard Smith Adkins out of the General Fund of said County or out of such other funds as may be available for the payment of Deputy Sheriffs' salaries of DeKalb County, Alabama; as may be determined by the County Commission for medical expenses and other costs in connection with the injuries received by the said Richard Smith Adkins, while acting as Deputy Sheriff of DeKalb County, Alabama in the line of duty, in an automobile accident in DeKalb County.

Local Legislation No. 1.

Notice and Proof H. 511:

NOTICE OF LOCAL ACT

Notice is hereby given that a local act will be introduced at the Regular Session of the Legislature of Alabama, and efforts made to secure its passage. The substance of said act is as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize the Governing Body of DeKalb County Alabama to pay the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to RICHARD SMITH ADKINS out of the General Fund of said County or out of such other funds as may be available for the payment of Deputy Sheriffs' salaries of DeKalb County, Alabama; as may be determined by the County Commission for medical expenses and other costs in connection with the injuries received by the said RICHARD SMITH ADKINS, while acting as Deputy Sheriff of DeKalb County, Alabama in the line of duty, in an automobile accident in DeKalb County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Governing body of DeKalb County, Alabama is hereby authorized to pay to Richard Smith Adkins, the sum of \$2,500.00 out of the General Fund or such other funds as may be available out of which the payments of Deputy Sheriffs' Salaries may be payable of DeKalb County, Alabama, to reimburse the said Richard Smith Adkins for medical expenses and other costs expended by him in connection with injuries received by him while he was on active duty as a Deputy Sheriff of DeKalb County, Alabama, which said injuries having been received as the result of an automobile accident in DeKalb County.

Section 2. The Treasurer of DeKalb County, Alabama or such other lawful officer entitled to draw checks or warrants on the County Treasury of DeKalb County, Alabama, is authorized to pay to the said Richard Smith Adkins \$2,500.00 in a lump sum as provided in this Act.

Section 3. This Act shall be effective immediately upon its passage and approval by the Governor, or its otherwise becoming a law.

STATE OF ALABAMA
DEKALB COUNTY

BEFORE ME, Maude C. Davidson, a Notary Public in and for the State of Alabama at Large, personally appeared BRUCE THOMAS, who being by me first duly sworn, deposes and says: That he is general manager of the TIMES-JOURNAL which, during the times herein mentioned, was a newspaper of general circulation published in DeKalb County, Alabama, and that the foregoing notice was published without cost to the State of Alabama, in said newspaper in the issues thereof, published successively, on May 16, May 23, May 30, and June 6, 1963.

BRUCE THOMAS,

Sworn to and subscribed before me this the 17th day of June, A. D., 1963.

MAUDE C. DAVIDSON,
Notary Public.

My Commission expires May 10, 1967.

By Mr. Powell (With Notice and Proof):

H. 512. To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Elmore County.

Local Legislation No. 1.

Notice and Proof H. 512:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF ELMORE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Elmore County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), "An Act relating to Elmore County; levying a license tax on persons and others engaged in selling tangible personal property at retail and on persons and others conducting places of amusement in said county, the said tax to be measured by the gross receipts or gross proceeds of such businesses; levying an excise tax on the storage, use or other consumption in said county of tangible personal property purchased for use, storage or other consumption in said county; specifying sales and transactions that are exempt from the measurement of the said license tax; specifying property the use, storage or other consumption of which is exempt from the said excise tax; providing for payment of said taxes, making reports and maintaining records with respect thereto, the collection of the said taxes, and the enforcement of the provisions of this act; making applicable to the taxes herein levied, and adopting by reference, certain provisions of Act No. 100 adopted at the 1959 Second Special Session of the Legislature of Alabama and of Article 11 of Chapter 20 of Title 51 of the Code of Alabama, as amended; providing that the Commissioner of Revenue and the State Department of Revenue shall have all powers and duties respecting the taxes herein levied and the collection thereof that they have under said Act No. 100 and said Article 11, as amended as aforesaid; providing for collection of said excise tax by sellers registered under Section 790 of Title 51 of the Code of Alabama of 1940, as amended; providing that the said license tax shall be added to the sales price or admission fee and passed on to the purchaser or person paying the said admission fee; providing for a discount to persons subject to the said license tax and to such registered sellers; providing for a charge by the State Department of Revenue for collecting the taxes herein levied; and providing for the use of the revenues from said taxes," is hereby repealed.

Section 2. All the provisions of said Act No. 657 pertaining to the payment and collection of the taxes levied therein, the making of reports and maintenance of records with respect thereto, and in general the enforcement of said act shall continue to be effective with respect to the taxes therein levied that shall have accrued thereunder before the effective date of this Act.

Section 3. This Act shall become effective on the first day of October, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ELMORE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Herve Charest, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Tallassee Tribune, a newspaper of general circulation published in Elmore County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1963.

HERVE CHAREST, JR.,

Sworn to and subscribed before me June 6, 1963.

CATHERINE K. CHAREST,
Title Notary Public.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 513. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city: and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 513:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama, under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city: and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Department of Revenue is hereby authorized, directed and required to collect any sales and use taxes or privilege license taxes which may be levied by the City of East Brewton, Escambia County, here-in called the "municipality," under the provisions of any municipal ordinance or resolution imposing a levy identical with the state levy of sales and use taxes, except for the rate of such taxes, subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as will apply to the state sales and use taxes levied under Act No. 100, Second Special Session 1959, approved August 18, 1959, and Article 11 of Chapter 20, Title 51 of the Code of Alabama of 1940, and all acts now or hereafter amendatory thereof or supplementary thereto, except where inapplicable or where otherwise provided, including the provisions for the enforcement and collection of such taxes when said ordinance or resolution is duly promulgated and adopted by the governing body of the municipality and when a certified copy of said ordinance or resolution has been filed with the Department of Revenue; provided, however, that such taxes shall not be collected from or levied upon the State of Alabama or the Alabama Alcoholic Beverage Control Board or ABC Liquor Stores. Such municipal sales and use taxes shall be collected by the Department at the same time and along with the collection by the Department of taxes levied and collected for the State of Alabama under the provisions of the laws referred to above and all laws amendatory thereof, and all reports required to be made to the Commissioner of Revenue hereunder shall, on request to the Department of Revenue, be made available for inspection by the governing body of the municipality or its designated agent at reasonable times during business hours.

The Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes and shall have all the authority and duties hereunder that it has in connection with the collection of sales and use taxes due to the State.

It shall be the duty of the Commissioner of Revenue to pay into the state treasury all such taxes, collected for the municipality; and on or before the 1st day of the following month the Commissioner shall certify to the State Comptroller the amount of taxes levied and collected under the provisions of this act for the use and benefit of the municipality during the calendar month immediately preceding the making of such certificate; whereupon it shall be the duty of the Comptroller to issue his warrant on the State Treasurer for the amount, less expenses, so certified by the Commissioner of Revenue as having been collected for the use of the municipality and paid into the state treasury; and the amount so certified by the Commissioner of Revenue as having been collected for the use of such municipality (less expenses) shall be paid to the treasurer of the municipality.

The Department of Revenue shall charge the municipality for collecting such sales and use taxes, the cost of making such collections, provided, however, that such charge shall not exceed 10 percent (10%) of the amount collected. The State Comptroller shall each month draw his warrant on the funds collected hereunder payable to the Department of Revenue for the amount of such charges.

The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes and otherwise to enforce the provisions of the ordinance or resolution levying such taxes, including any litigation required, and the Department of Revenue shall pay such special counsel such fees as it deems necessary and proper from the proceeds of the taxes payable to the municipality under the provisions of this act.

Section 2. The duties hereby imposed upon the Commissioner of Revenue, the Department of Revenue and the State Comptroller shall be assumed and discharged by them after the making and filing with the Department of Revenue of a certified copy of the ordinance or resolution and amendments thereto levying sales or use taxes; but the duty to collect taxes levied thereby shall not be imposed upon the Department of Revenue until the 1st day of the month next following the expiration of thirty (30) days from the date of the filing with it of such certified copy of the ordinance or resolution and amendments thereto levying such taxes, which shall be the beginning period for the collection of such taxes as shall be due on and after said 1st day of the month.

Section 3. If the municipality should decide by the adoption of a resolution of its governing body to discontinue availing itself of the methods prescribed by this act for the collection of sales and use taxes it shall file a certified copy of the resolution so declaring with the Department of Revenue, whereupon the duties imposed upon the Department hereby shall no longer be required of it. If the municipality should by ordinance or resolution repeal any existing ordinance or resolution levying sales or use taxes a certified copy thereof shall be filed with the Department of Revenue and if it be then collecting taxes in accordance with this act its duties hereunder shall terminate.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1963.

PHILIP SOKOL.

Sworn to and subscribed before me June 8, 1963.

LUVENIA F. HAYLES,
Title My Commission Expires Nov. 29, 1963.

By Messrs. Hester and Cantrell:

H. 514. To amend further Section 710 of Title 51, Code of Alabama (1940), as amended, which relates to the date motor vehicle licenses become due and payable.

Ways and Means.

By Mr. Martin (With Notice and Proof):

H. 515. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 515:

LEGAL NOTICE

STATE OF ALABAMA GREENE COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in at the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said Town of Boligee all of the territory lying within the County of Greene included within the following described boundaries, namely:

Begin at the Northeast corner of the Northeast quarter of Section 6, Township 20 North, Range 1 East, and run South along the East boundary of said Northeast quarter of Section 6 a distance of one-half mile; thence run West along the South boundary of said Northeast quarter of Section 6 a distance of one-half mile; thence run North along the West boundary of said Northeast quarter of said Section 6 a distance of one-half mile; thence run West along the North boundary of said Section 6 a distance of one-quarter mile; thence run North along the West boundary of the East half of West half of Section 31, Township 21 North, Range 1 East, a distance of one mile; thence run East along the North boundary of Sections 31 and 32 of Township 21 North, Range 1 East a distance of one and three-fourth mile; thence run South along the East boundary of Section 32, Township 21 North, Range 1 East a distance of one-quarter mile; thence run West along the South boundary of the North half of the Northeast quarter of Section 32, Township 21 North, Range 1 East, a distance of one-half mile; thence run South along the centerline through Section 32, Township 21 North, Range 1 East, a distance of three-fourths mile; thence run West along the South boundary of Section 32, Township 21 North, Range 1 East a distance of one-half mile to the point of beginning.

Section 2. The corporate limits of the Town of Boligee shall include within it the following described territory:

The Northeast quarter of Section 6, Township 20 North, Range 1 East; The East half of the West half of Section 31, Township 21 North, Range 1 East; the East half of Section 31, Township 21 North, Range 1 East; the

West half of Section 32, Township 21 North, Range 1 East; the North half of the Northeast quarter of Section 32, Township 21 North, Range 1 East.

Section 3. All laws and parts of laws, general, special and local in conflict with this act be and the same are hereby repealed.

Section 4. This act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF GREENE

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. K. Martin, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the Greene County Democrat, a newspaper of general circulation published in Greene County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

R. K. MARTIN.

Sworn to and subscribed before me June 10, 1963.

GENEVA L. MATTISON,
Title Notary Public in and for
Greene County, Alabama.

By Messrs. Rast, Bowers, Bailes, Sessions, Locke, Meeks, Etheredge, Gilmore, Vacca, Perry, Goodwyn, Pierce, Jones (Covington) and Bethea (M):

H. 516. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$200,000 for the purpose of financing the construction, reconstruction, alteration and improvement of school facilities, including the construction and equipment of a gymnasium, for the Alabama Boys Industrial School.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Etheredge, Bowers, Rast, Gilmore, Meeks, Bailes, Sessions, Locke, Brown (Jefferson), Dominick, Bethea (B), Perry, Hawkins, Morrow and Vacca (With Notice and Proof):

H. 517. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Local Legislation No. 2.

Notice and Proof H. 517:

NOTICE

The following bill is intended to be introduced in the Legislature of Alabama in the Regular Session of 1963.

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, is amended to read as follows:

Section 3. (a) "PRESENT EMPLOYEES": Any person who is an employee or officer of Jefferson County on the date of establishment of this General Retirement System shall, except as hereinafter provided, be eligible for membership and shall become a member as of such date unless within a period of thirty (30) days thereafter he files with the Board on a blank provided by the personnel director or by the Board for that purpose, an election not to become a member, such election to be irrevocable. (b) "Members of Existing Retirement System": All employees who have become members of a retirement system under said Act No. 551 of September 9, 1953, shall not be permitted to become members under the present act. (c) "Future Employees": Any person who becomes an officer or an employee after the retirement system under the present act is established shall not be required to become a member during the first two years he serves as an officer or an employee; and any person who becomes an officer or an employee after the establishment of the said system shall become a member thereof commencing the first calendar month subsequent to the second anniversary of his becoming an officer or an employee, unless some provision hereof declares that he is ineligible for membership in the said system. Any person who has become an officer or an employee after the date of the establishment of said retirement system and prior to the effective date of this sentence may elect to become a member of the said system by filing with the Personnel Director an election to do so within thirty days from the effective date of this sentence on a form provided by the Personnel Director for that purpose; and any person who becomes an officer or employee after the effective date of this sentence may become a member of the said system by filing with the Personnel Director within thirty days after he becomes an officer or employee an election to become a member thereof on a form provided by the Personnel Director; provided, however, that no person whose employment is "temporary," as defined by any merit system in operation in the said County, shall be eligible for membership during the period of such temporary employment. Upon any such officer or employee making such election, he shall become a member of the said pension system commencing on the first day of the calendar month next following that month in which his election is filed with the Personnel Director; and the election shall be irrevocable. (d) "Report of County Officials": It shall be the duty of the county personnel board, the head of each agency of the county government employing persons who are members or are entitled to become members, to submit to the Board such statements as the Board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person employed by such agency.

Section 2. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Souther Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 25, June 1, 8, 15, 1963 a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 17 day of June, 1963.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Etheredge and Rast:

H. 518. To amend Sections 74 (46 a & b), 74 (48), 74 (49c), 74 (50), 74 (70), and 74 (70a) of Title 36, Code of Alabama 1940, as last amended, relating to the Motor Vehicle Safety Responsibility Act.

Judiciary.

By Messrs. Brown (Jefferson), Bevill, Scurlock and Burns:

H. 519. To amend further Section 29, Act No. 207, S. 134, Regular Session 1949, the act known as the "Alabama Coal Mine Safety Law of 1949."

Business and Labor.

By Messrs. Turnham, Hannah, Boston and Davis:

H. 520. To amend Act No. 812, H. 43, Regular Session 1961 (Acts 1961, v. 2, p. 1188) which provides for a scholarship program for education in the field of library science, and authorizes the use of funds available to the Alabama Public Library Service.

Education.

By Mr. Turnham:

H. 521. To make an appropriation from the Alabama special educational trust fund to the use of the board of trustees of Auburn University for certain capital outlay purposes.

Ways and Means.

By Mr. Turnham:

H. 522. To make an appropriation from the Alabama special educational trust fund to the use of the board of trustees of Auburn University for certain capital outlay purposes.

Ways and Means.

By Messrs. Engel, Casey, Edwards (Escambia), Fields, Mashburn, Nettles, Blanton, Ingram, Edington, Jones (Monroe), McCorquodale, McDermott, Hogan, Daniel, Jones (Covington), Salter, Owens, Downing, Rogers, Avery, Smith, Wood, Crawford, Turner (Crenshaw), Turner (Limestone), Slate, Burns, Thomas, Goldthwaite, Grouby, Sullivan, Meade, Harper, Cook, Nabors, Pruitt, Carr, Doggett, Moore, Cates, Glass, Reynolds and Brewer:

H. 523. To make appropriations for operation, support and maintenance of the University of South Alabama.

Ways and Means.

By Messrs. Smith, Engel and Downing:

H. 524. To further amend Section 254 of Title 13 of the Code of Alabama of 1940, which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Ways and Means.

By Messrs. Engel, Fields, Downing, Rogers, McDermott, Edington, Smith and Hogan (With Notice and Proof):

H. 525. To provide for the levy and collection by the governing body of Mobile County if and when directed by the Mobile County Hospital Board of an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692, Title 51, Code of Alabama 1940, as amended, owned by any individual who is a resident of Mobile County and upon every motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County for a period not exceeding two years; for the exemption of motor vehicles owned and used by the State and Counties and municipalities of the State; for the time and manner for the payment of the license tax and registration fee; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the net proceeds of said tax and fee shall be used solely for public hospital purposes by the Mobile County Hospital Board, and to provide for a referendum election.

Local Legislation No. 3.

Notice and Proof H. 525:

LEGAL NOTICE

STATE OF ALABAMA, COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the levy and collection by the governing body of Mobile

County if and when directed by the Mobile County Hospital Board of an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County for a period not exceeding two years; for the exemption of motor vehicles owned and used by the State and Counties and municipalities of the State; for the time and manner for the payment of the license tax and registration fee; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the net proceeds of said tax and fee shall be used solely for public hospital purposes of the Mobile County Hospital Board.

Be it Enacted by the Legislature of Alabama:

Section 1. The governing body of Mobile County is authorized to levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Mobile County and upon every such vehicle used or operated in said County and owned by any corporation, firm or association, which has an office or place of business in said County. If the Mobile County Hospital Board files with the governing body of Mobile County a certified copy of a duly adopted resolution directing the governing body of Mobile County to levy such annual license tax and registration fee, the governing body of Mobile County shall levy such annual license tax and registration fee. The County license tax and registration fee shall become due on the due date of the State license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said County license tax and registration fee by the governing body of Mobile County, and on the same day in each year thereafter for such period as hereinafter provided.

Section 2. The License Commissioner of Mobile County shall collect the annual license tax and registration fee authorized by this Act from the owner of the motor vehicle at the time he collects the State license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Mobile County, but the License Commissioner shall not be allowed any fee for collecting the County license tax and registration fee. Until the County license tax and registration fee has been paid, the License Commissioner shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 3. Motor vehicles owned and used by the State, and Counties or municipalities of this State, shall not be liable for the payment of the County license tax and registration fee authorized by this Act.

Section 4. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 5. The purchaser of any motor vehicle shall have four days

from the date of acquisition within which to pay the County license tax and registration fee authorized herein.

Section 6. The governing body of Mobile County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the County license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 7. No motor vehicle upon which a County license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of Mobile County until said tax and fee shall have been paid as herein provided.

Section 8. The proceeds of the County license tax and registration fee authorized by this Act, less the cost of collecting, administering and providing the evidence of the payment thereof, shall be paid over to the Mobile County Hospital Board and shall be used by that Board for public hospital purposes, as defined in the Act and in the Certificate of Incorporation under and by which it was incorporated. The License Commissioner shall keep the receipts from said County license tax and registration fee authorized by this Act separate and apart from all other funds and shall keep a clear and distinct account thereof, and shall turn the same over to the Mobile County Hospital Board, whose duty it shall be to receipt therefor.

Section 9. The license tax and registration fee herein provided for shall not be authorized or levied after (a) two years from the first date on which said tax and fee become due or (b) the date on which the special ad valorem tax for hospital purposes in Mobile County authorized by Amendment CXCV, and any amendments thereto, in the amount of five mills on each dollar of taxable property in Mobile County becomes due, whichever is the earlier.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

C. R. Willisson being sworn, says that he is office manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, May 10, 13, 20, 27 1963.

C. R. WILLISSON.

Sworn to and subscribed before me This 10th day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Engel, Fields, Downing, Rogers, McDermott, Edington, Smith and Hogan (With Notice and Proof):

H. 526. To provide for the levy and collection in Mobile County of an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692, Title 51, Code of Alabama of

1940, as amended, owned by any individual who is a resident of Mobile County and upon every motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County for a period not exceeding two years; to provide for the exemption of motor vehicles owned and used by the State and counties and municipalities of the State; to prescribe the time and manner of payment of the license tax and registration fee; to authorize the governing body of Mobile County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the net proceeds of said tax and fee shall be used solely for public hospital purposes by the Mobile County Hospital Board; and to provide for a referendum election.

Local Legislation No. 3.

Notice and Proof H. 526:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the levy and collection by the Mobile County Hospital Board of an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692, Title 51, Code of Alabama of 1940, as amended, owned by any individual who is a resident of Mobile County and upon every motor vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County for a period not exceeding two years; for the exemption of motor vehicles owned and used by the State and Counties and municipalities of the State; for the time and manner for the payment of the license tax and registration fee; for authorizing the governing body of Mobile County to adopt and promulgate rules and regulations necessary for the collection and enforcement of the license tax and registration fee; to prohibit any motor vehicle from using the public highways of Mobile County until the license tax and registration fee shall have been paid; to provide that the net proceeds of said tax and fee shall be used solely for public hospital purposes by the Mobile County Hospital Board.

Be it Enacted by the Legislature of Alabama:

Section 1. The Mobile County Hospital Board is authorized to levy, in addition to all other taxes, licenses and fees of every kind now imposed by law, an annual license tax and registration fee in the amount of \$5.00 upon every motor vehicle, as defined in Section 692 of Title 51 of the Code of Alabama of 1940, as amended, which is owned by any individual who is a resident of Mobile County, and upon every such vehicle used or operated in said County and owned by any corporation, firm or association which has an office or place of business in said County. If the Mobile County Hospital Board files with the governing body of Mobile County a certified copy of a duly adopted resolution levying such annual license tax and registration fee, the governing body of Mobile County shall levy such

annual license tax and registration fee in said amount. The County license tax and registration fee shall become due on the due date of the state license and registration fee levied under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, next following the levy of said County license tax and registration fee by the governing body of Mobile County and on the same day in each year thereafter for such period as hereinafter provided.

Section 2. The License Commissioner of Mobile County shall collect the annual license tax and registration fee authorized by this Act from the owner of the motor vehicle at the time he collects the State license and registration fee levied on such motor vehicles under the provisions of Article 8, Chapter 20, Title 51, Code of Alabama of 1940, or any laws amendatory thereof or supplementary thereto, and shall maintain complete records of each transaction on forms to be prescribed and furnished by the governing body of Mobile County, but the License Commissioner shall not be allowed any fee for collecting the County license tax and registration fee. Until the County license tax and registration fee has been paid, the License Commissioner shall not issue a motor vehicle license tag for use on any motor vehicle upon which a license tax and registration fee is imposed pursuant to this Act.

Section 3. Motor vehicles owned and used by the State, and Counties or municipalities of this State, shall not be liable for the payment of the County license tax and registration fee authorized by this Act.

Section 4. Statutes providing for the purchase of any motor vehicle license on a monthly declining or half-year basis shall not apply to the license tax and registration fee authorized by this Act.

Section 5. The purchaser of any motor vehicle shall have four days from the date of acquisition within which to pay the County license tax and registration fee authorized herein.

Section 6. The governing body of Mobile County shall have the power and authority to adopt and promulgate rules and regulations necessary for the collection and enforcement of the County license tax and registration fee authorized by this Act and to expend so much of the proceeds thereof as may be necessary to collect and enforce the tax and to provide for the evidence of the payment thereof.

Section 7. No motor vehicle upon which a County license tax and registration fee is imposed pursuant to this Act shall be operated upon the public highways of Mobile County until said tax and fee shall have been paid as herein provided.

Section 8. The proceeds of the County license tax and registration fee authorized by this Act, less the cost of collecting, administering and providing the evidence of the payment thereof, shall be paid over to the Mobile County Hospital Board and shall be used by that Board for public hospital purposes, as defined in the Act and in the Certificate of Incorporation under and by which it was incorporated. The License Commissioner shall keep the receipts from said County license tax and registration fee authorized by this Act separate and apart from all other funds and shall keep a clear and distinct account thereof, and shall turn the same over to the Mobile County Hospital Board, whose duty it shall be to receipt therefor.

Section 9. The license tax and registration fee herein provided for shall not be authorized or levied after (a) two years from the first date on which said tax and fee became due or (b) the date on which the special ad valorem tax for hospital purposes in Mobile County authorized by Amendment CXCV, and any amendments thereto, in the amount of five mills on

each dollar of taxable property in Mobile County becomes due, whichever is the earlier.

Section 10. All laws and parts of laws in conflict with any provision of this Act are hereby repealed.

Section 11. If any section, clause or provision of this Act shall be, or declared to be, invalid, this shall not affect any other section, clause or provision hereof not in itself invalid.

Section 12. This Act shall take effect immediately upon its passage by the Legislature and approval by the Governor or upon its otherwise becoming law.

C. R. Willisson, being sworn, says that he is office manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Press, May 10, 13, 20, 27 1963.

C. R. WILLISSON.

Sworn to and subscribed before me This 10th day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Mr. Goodwyn:

H. 527. To define the corporate status of production credit associations organized under the laws of the United States and provide the method of taxation of such associations.

Judiciary.

By Mr. Sullivan (With Notice and Proof):

H. 528. To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Local Legislation No. 1.

Notice and Proof H. 528:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act No. 132, H. 112, approved Spetember 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken," is hereby expressly repealed.

Section 2. This act shall take effect January 1, 1964.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Groce Pratt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 4, April 11, April 18, and April 25, all in the year 1963.

(s) J. GROCE PRATT.

Sworn to and subscribed before me June 16, 1963.

(s) EUTEAL V. JENKIN,
Title Notary Public.

By Mr. Sullivan (With Notice and Proof):

H. 529. Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

Local Legislation No. 1.

Notice and Proof H. 529:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After this Act takes effect the provisions of Articles 1 and 2 of Chapter 5, Title 26, code of Alabama 1940, as amended shall be applicable to the employees of Pickens County, and to the county, and the Workmen's Compensation Act shall govern in their employment the same as though the county governing body had elected to cover the county's employees under said Act. The county governing body shall see to it that all necessary employer reports and notices required are given at the times and in the manner prescribed in the Workmen's Compensation Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective 60 days after its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PICKENS

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Groce Pratt, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Pickens County Herald, a newspaper of general circulation published in Pickens County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 9, May 16, May 23, and May 30, all in the year 1963.

(s) J. GROCE PRATT.

Sworn to and subscribed before me June 17, 1963.

(s) EUTEAL V. JENKIN,
Title Notary Public.

By Messrs. Campbell (Tuscaloosa), Hannah, Bevell, Turnham, and Brown (Tuscaloosa):

H. 530. To regulate the practice of psychologists in Alabama as herein defined; to create a Board to be known as the "Alabama Board of Examiners in Psychology"; to prescribe the duties and power of said Board; to provide for the examination, licensure, and regulation of psychologists; to fix penalties for the violation of this act; to impose license fees and to provide for the use of funds received.

Health.

By Messrs. Scurlock, Bevell, Bethea (M), Moore, Branyon, Hankins, Brown (Jefferson), Meeks, Locke, Bowers, Drake, Slate, Gilmore, Cates, Bailes, Etheredge, Hannah, Snell, Carr, Engel, McDermott, Nettles, Daniel, Cooper, Turner (Limestone), Heflin, Mashburn, Salter, Downing, Little, Edington, Brown (Tuscaloosa), Callahan, Collins, Bethea (B) and Ne-Smith:

H. 531. To exempt certain disabled veterans of the armed forces of the United States from the requirement of procuring licenses to fish in certain ways or manners in the waters of this state; to provide for the issuance of exempted fishing licenses to such veterans.

Conservation.

By Messrs. Nettles and Pierce:

H. 532. Relating to a continuing program for the employment of the handicapped; creating certain committees, providing for their organization, membership, powers, duties, and functions; providing for personnel, office space, equipment, and other expenses; creating a revolving fund, and making appropriations for purposes of promoting such program.

Ways and Means.

By Messrs. Callahan, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 533. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Local Legislation No. 1.

By Mr. Drake:

H. 534. To amend further Code of Alabama, Title 7, Section 713, in relation to newspaper publication of legal advertisements.

Local Legislation No. 1.

By Mr. Salter:

H. 535. To amend Act No. 763, H. 514, Regular Session 1953 (Acts 1953, v. 2, p. 1025) which permits payroll deductions from salaries or wages of public employees, so as to prohibit certain deductions.

Agriculture.

By Mr. Salter:

H. 536. Relating to counties having populations of not less than 17,400 nor more than 17,800; fixing the compensation of election officers in such counties.

Local Legislation No. 1.

By Messrs. Nabors, Burns and Owens:

H. 537. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Judiciary.

By Messrs. Downing, Hogan, Smith, Edington, Fields, Engel, McDermott, Campbell (Tuscaloosa), Dominick, Sessions, Rast, Bailes, Brown (Jefferson), Vacca, Gilmore, Bowers, Collins, Perry, Etheredge, Bethea (B), Locke, Nabors, Burns, Owens, Rogers, Pierce, Little, Pennington, Meeks, Bethea (M), Slate, Callahan, Brown (Tuscaloosa) and Baker (Madison):

H. 538. To amend Code of Alabama 1940, Title 51, Sections 655 and 657 relating to state revenue; to change the basis for distribution to counties of a portion of the proceeds of the state tax levy on the with-

drawal, use, and consumption of gasoline in this state; and to provide for the apportionment thereof to the counties on the basis of certain ratios.

Public Welfare.

By Messrs. Moore, Brewer and Hannah:

H. 539. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

Ways and Means.

By Messrs. Moore and Brewer:

H. 540. To amend further Code of Alabama 1940, Title 51, Sections 812, 816, and 819, in relation to the premium taxes levied and imposed on insurance companies.

Ways and Means.

By Messrs. Moore and Brewer:

H. 541. To raise revenue; imposing a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts; fixing the rate of the tax and providing for collection, enforcement, and distribution thereof.

Ways and Means.

By Messrs. Hannah, Boston, Cantrell, Posey, Hester and Moore:

H. 542. To make an appropriation to the use of Cypress Creek Watershed Conservancy District for the promotion of public improvements.

Ways and Means.

By Mr. Campbell (Jackson) (With Notice and Proof):

H. 543. To Amend Further an Act Approved November 4, 1950, Entitled "An Act to Create a Board of Revenue for Jackson County; providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, P. 126) so as to Duly Authorize the Board of Revenue to Employ Clerical Help.

Local Legislation No. 1.

Notice and Proof H. 543:

LEGAL NOTICE

A BILL TO BE ENTITLED AN ACT

To amend Further an Act Approved November 4, 1950, Entitled "An Act to Create a Board of Revenue for Jackson County; Providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commis-

sioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, P. 126) so as to Duly Authorize the Board of Revenue to Employ Clerical Help.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of an act approved November 4, 1950, which created a board of revenue for Jackson County and abolished the court of County Commissioners of said county (Act No. 65, H. 81, Act of Alabama 1950-51, Vol. 1, P. 126) as amended, is further amended to read as follows; Section 8. After the first Monday following the second Tuesday in January 1953, the chairman of the Board shall be required to give his entire time and attention to the business of the Board. He shall sign all warrants or orders for disbursements of money from the County Treasury. Claims against the county treasury may be sworn to before the chairman or before any other officer qualified to administer oaths. It shall be the duty of the chairman to receive and prepare the business of, and to obtain information for the meetings of the Board for the purpose of dispatching the work of the Board. The chairman shall see to the execution of all orders of the Board, and after the first Monday following the second Tuesday in January 1953, he shall keep the books and records of the Board or personally supervise the same. He shall enter the minutes of all proceedings of the Board in a well-bound book, which shall be provided for that purpose, within five days from the adjournment of every regular or special meeting. The minute book shall be kept in the office of the Board and shall be open to public inspection at all reasonable hours. The chairman shall be entitled to five dollars for recording the minutes of each regular or special meetings of the Board, but such compensation shall not exceed in all twenty dollars for any month. The chairman of the Board shall keep a complete record of all receipts and disbursements of county funds and must be prepared at all times to show the exact financial condition of the county. The chairman shall have authority to employ such clerical assistance as the board shall prescribe.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF JACKSON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the THE SENTINEL-AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr 4, Apr 11, Apr 18, and Apr 25, all in the year 1963.

FRED J. BUCHHEIT.

Sworn to and subscribed before me Apr 27, 1963.

**EVELYN TUBBS,
Title Notary Public.**

My Commission expires 5 Nov., 1966.

By Messrs. McDermott, Hogan and Engel:

H. 544. To appropriate the sum of Twenty-five Thousand Dollars from any funds in the state treasury not otherwise appropriated to the Department of Conservation for the purpose of purchase or condemnation of lands bordering that certain body of water in Mobile County known as Polecat Bay; and to provide for the use and management of such lands.

Ways and Means.

By Messrs. Carr, Bevill, Scurlock, Burns and Owens:

H. 545. Relating to counties; to provide for coverage under the Unemployment Compensation Act of certain county employees.

Local Government.

By Messrs. Carr, Scurlock, Bevill, Burns, and Owens:

H. 546. To amend Section 225, Title 26, Code of Alabama 1940, as amended, dealing with elections to be subject to the State Unemployment Compensation Law.

Local Government.

RESOLUTION

The following resolution was introduced:

By Mr. Jones (Covington):

H. J. R. 57. WHEREAS Mr. Ralph A. Clark, native son and beloved citizen of Andalusia and Covington County passed away on February 16, 1963; and

WHEREAS Mr. Clark, born of a pioneer family, the son of the late Mr. and Mrs. Frank Clark of the Antioch community, was educated at Straughn school, the old Baptist College at Newton, and the University of Alabama where his studies in law were interrupted when he entered the army in World War I during which time he served so valiantly in France, and after which he completed his law training in night studies under the supervision of the late Judge Emmett Thigpen; and

WHEREAS Mr. Clark, being the dean of the active practicing attorneys of Covington County at the time of his death, made Andalusia and Covington County a better place in which to live, listed among his many additional services two terms as circuit clerk of Covington County; Andalusia Recorder for sixteen year; veteran counsel of twenty-seven years for Covington County and South Alabama Electric Cooperative and a pioneer in rural electrification; a loyal member of the First Methodist Church where he was a steward and had for thirty-seven years been an outstanding teacher of the Men's Bible Class; and

WHEREAS Mr. Clark, through his high personal integrity, meritorious services, and understanding heart, endeared himself to the whole community to which he has left a rich heritage; and

WHEREAS Mr. Clark is survived by his widow Mrs. Bessie Clark of Andalusia; a daughter, Mrs. Arlo Bjorkland, and a grandson of North Platte, Nebraska; three brothers, Dr. Ashton Clark, retired professor of veterinary medicine at Auburn; Dr. Bartlett Clark a veterinarian of Welt Plains, Mississippi; Dr. Andrew Clark, a veterinarian of Sebring, Florida;

and a sister, Mrs. Grady Adams, Sr., of Antioch community of Covington County; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA: BOTH HOUSES THEREOF CONCURRING, That we express deepest regrets at the passing of Mr. Ralph A. Clark and extend sincerest sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mrs. Clark, Mrs. Bjorkland, the three brothers and sister; Mr. Keltis Powell, Secretary, Andalusia Masonic Lodge No. 434, Andalusia, Alabama; Mr. J. Marvin Albritton, Secretary, Covington County Bar Association, Andalusia, Alabama; Alabama Electric Cooperative, Inc., Andalusia, Alabama; Secretary, Men's Bible Class, First Methodist Church, Andalusia, Alabama; The Andalusia Star-News, Andalusia, Alabama; The Opp News, Opp, Alabama; and The Florala News, Florala, Alabama.

On motion of Mr. Jones (Covington) the rules were suspended and H.J.R. 57 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill and Senate Joint Resolutions, your signature thereto is requested:

S. 51. To regulate the compensation and allowances of the superintendent of education of Marshall County.

Also:

S. J. R. 12. Expressing appreciation to the American Legion for their support and sponsorship of the Alabama Boys State program.

Also:

S. J. R. 13. Expressing well wishes and prayers for Governor Wallace.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILL AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bill and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following Resolutions were introduced:

By Messrs. Etheredge, Sessions, Rast, Dominick, Bowers, Meeks, Gilmore, Bailes, Locke, Perry, Brown (Jefferson), Vacca, Morrow, Bethea (B), and Hawkins:

H. J. R. 58. Authorizing the Board of Trustees of the University of Alabama to designate the Rehabilitation Center Building in the Medical Center in Birmingham as "The Spain Rehabilitation Center".

WHEREAS, Frank E. Spain has served his state as an outstanding Attorney since 1913 achieving the highest professional attainment with a high sense of integrity and public responsibility; and has received national prominence as Past President of Rotary International, was decorated with the Chevalier Legion of Honor for service in World War I, and has served his community as a past president of the Birmingham Community Chest, Director of the Alabama Society for Crippled Children and Adults, Trustee of The Eye Foundation, Inc.; and member of the Advisory Council, Southern Research Institute; and

WHEREAS, The Board of Trustees of the University of Alabama has indicated its disposition to designate the Rehabilitation Center Building in the University of Alabama Medical Center in Birmingham, "The Spain Rehabilitation Center" in honor of Frank E. and Margaret C. Spain, loyal friends and benefactors of the University who were the donors of the funds used to match Federal Funds in the construction of this magnificent building; therefore,

BE IT RESOLVED by the House of Representatives of Alabama, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the Rehabilitation Center Building in the University of Alabama Medical Center in Birmingham as "The Spain Rehabilitation Center".

On motion of Mr. Etheredge the rules were suspended and H.J.R. 58 was adopted.

Also:

By Messrs. Campbell (Tuscaloosa), Callahan and Brown (Tuscaloosa).

H. J. R. 59. Authorizing The Board of Trustees of the University of Alabama to designate the Social Science Building now under construction on the University of Alabama Campus as "Marten ten Hoor Hall"

WHEREAS, The Board of Trustees of the University of Alabama has indicated its disposition to designate the Social Science Building on the main campus of the University at Tuscaloosa "Marten ten Hoor Hall" in honor of Dean Emeritus of the College of Arts and Sciences Marten ten Hoor, who retired in 1960 after 16 consecutive years in this position; a philosopher, teacher, administrator and recognized national leader with a total of 45 years service in the field of higher education, who brought distinction and eminence to the University and the State of Alabama; therefore,

BE IT RESOLVED by the House of Representatives, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the Social Science Building on the main campus of the University at Tuscaloosa as "Marten ten Hoor Hall".

On motion of Mr. Campbell (Tuscaloosa) the rules were suspended and H.J.R. 59 was adopted.

Also:

By Messrs. Brown (Tuscaloosa), Callahan and Campbell (Tuscaloosa).

H. J. R. 60. Authorizing the Board of Trustees of the University of Alabama to designate the new women's residence hall now under construc-

tion on the former Athletic Practice Field of the main campus of the University at Tuscaloosa as "Martha Parham Hall."

WHEREAS, the Board of Trustees of the University of Alabama has indicated its disposition to designate the women's residence hall now under construction on the old Athletic Practice Field on the main campus of the University of Tuscaloosa "Martha Parham Hall" in honor of Mrs. Martha Parham Houser, an outstanding student at the University; University Registrar from 1918 through 1930; wife of University Treasurer and Engineering Professor Shaler C. Houser, for whom Houser Hall on the University campus is named; Acting Registrar of the College of Education from 1948 through 1950; and Director of Women's Housing from 1950 to 1961; during this long period she contributed greatly to the lives of many young men and women who attended the University and demonstrated her great love and esteem for and dedication to this University.

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives, the Senate concurring, that The Board of Trustees of the University of Alabama is hereby authorized to designate the women's residence hall located on the old Athletic Practice Field of the main campus of the University of Alabama at Tuscaloosa as "Martha Parham Hall".

On motion of Mr. Brown (Tuscaloosa) the rules were suspended and H.J.R. 60 was adopted.

Also:

By Messrs. Beville, Turner (Crenshaw), Cook, Turnham, Steagall, Mashburn, Wood, Goodwyn, Cornett, Blanton, Hain and Scurlock.

H. J. R. 61. Memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States relating to Article V thereof.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"ARTICLE ———"

"Section 1. Article V of the Constitution of the United States is hereby amended to read as follows:

The Congress, whenever two-thirds of both Houses shall deem it necessary, or, on the application of the Legislatures of two-thirds of the several states, shall propose amendments to this Constitution, which shall be valid to all intents and purposes, as part of this Constitution, when ratified by the Legislatures of three-fourths of the several states. Whenever applications from the Legislatures of two-thirds of the total number of states of the United States shall contain identical texts of an amendment to be proposed, the President of the Senate and the Speaker of the House of Representatives shall so certify, and the amendment as contained in the application shall be deemed to have been proposed, without further action by Congress. No State, without its consent, shall be deprived of its equal suffrage in the Senate.

"Section 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several states within seven years from the date of its submission."

BE IT FURTHER RESOLVED that if Congress shall have proposed

an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The motion of Mr. Bevill to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 61 was adopted.

Yeas 86; Nays 7.

Yeas:

Mr. Speaker	Cook	Hawkins	Posey
Albea	Cooper	Heflin	Powell
Avery	Cornett	Hester	Pruitt
Bailes	Crawford	Hogan	Rast
Baker (DeKalb)	Daniel	Ingram	Reynolds
Barnett	Davis	Jones (Covington)	Rogers
Bassett	Doggett	Jones (Monroe)	Salter
Bethea (B)	Drake	Locke	Scurlock
Bethea (M)	Edwards (Escambia)	McDermott	Sessions
Bevill	Edwards (Lowndes)	Martin	Slate
Bolton	Engel	Mashburn	Snell
Boston	Etheredge	Merrill	Steagall
Bowers	Faulk	Moore	Stembridge
Branyon	Gilmore	Morrow	Sullivan
Brown (Jefferson)	Glass	NeSmith	Teel
Brown (Tuscaloosa)	Goldthwaite	Nettles	Thomas
Burns	Goodwyn	Owens	Turner (Crenshaw)
Camp	Grouby	Paulk	Turner (Limestone)
Campbell (Jackson)	Hain	Pennington	Vacca
Carr	Hankins	Perry	Wood
Casey	Hannah	Pierce	Young
Cates	Harper		

—86

Nays:

Messrs.	Dominick	Edington	Meeks
Callahan	Downing	Fields	Nabors

—7

And the resolution, H.J.R. 61, was adopted.

Yeas 85; Nays 4.

Yeas:

Mr. Speaker	Bowers	Cook	Etheredge
Avery	Branyon	Cooper	Faulk
Bailes	Brown (Jefferson)	Cornett	Fields
Baker (DeKalb)	Brown (Tuscaloosa)	Crawford	Gilmore
Barnett	Burns	Daniel	Glass
Bassett	Callahan	Davis	Goldthwaite
Bethea (B)	Camp	Doggett	Goodwyn
Bethea (M)	Campbell (Jackson)	Drake	Grouby
Bevill	Carr	Edwards (Escambia)	Hain
Bolton	Casey	Edwards (Lowndes)	Hankins
Boston	Cates	Engel	Hannah

Harper	Merrill	Powell	Steagall
Hawkins	Moore	Pruitt	Stembridge
Heflin	Morrow	Rast	Sullivan
Hogan	NeSmith	Reynolds	Teel
Ingram	Nettles	Rogers	Thomas
Jones (Covington)	Paulk	Salter	Turner (Crenshaw)
Jones (Monroe)	Pennington	Scurlock	Turner (Limestone)
Locke	Perry	Sessions	Vacca
Martin	Pierce	Slate	Wood
Mashburn	Posey	Snell	Young

—85

Nays:

Messrs.	Edington	Meeks	Nabors
Downing			

—4

Also:

By Messrs. Bevill, Turner (Crenshaw), Cook, Turnham, Steagall, Mashburn, Wood, Goodwyn, Cornett, Blanton, Hain and Scurlock:

H. J. R. 62. Memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

“ARTICLE ———

“Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any state in the apportionment of representation in its legislature.

“Section 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a state legislature.

“Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission.”

BE IT FURTHER RESOLVED that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The motion of Mr. Bevill to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 62 was lost.

Yeas 66; Nays 28.

Yeas:

Mr. Speaker	Cooper	Harper	Posey
Avery	Cornett	Hawkins	Powell
Baker (DeKalb)	Crawford	Heflin	Pruitt
Barnett	Daniel	Hester	Reynolds
Bassett	Davis	Hogan	Salter
Bevill	Doggett	Ingram	Scurlock
Bolton	Edwards (Escambia)	Jones (Covington)	Slate
Boston	Edwards (Lowndes)	Jones (Monroe)	Smith
Branyon	Faulk	Martin	Snell
Brown (Tuscaloosa)	Fields	Mashburn	Steagall
Callahan	Glass	Merrill	Stembridge
Camp	Goldthwaite	Moore	Teel
Campbell (Jackson)	Goodwyn	NeSmith	Thomas
Cantrell	Grouby	Nettles	Turner (Crenshaw)
Casey	Hain	Paulk	Wood
Cates	Hankins	Pierce	Young
Cook	Hannah		

—66

Nays:

Messrs.	Burns	Gilmore	Pennington
Albea	Campbell (Tuscaloosa)	Locke	Perry
Bailes	Dominick	McDermott	Rast
Bethea (B)	Downing	Meeks	Rogers
Bethea (M)	Drake	Morrow	Sessions
Bowers	Edington	Nabors	Turner (Limestone)
Brown (Jefferson)	Etheredge	Owens	Vacca
Burnham			

—28

And said resolution, H.J.R. 62, was read and referred to the Standing Committee on Rules.

BILLS ON THIRD READING

H. 387. Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation may be paid by the county; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Burnham	Drake	Harper
Albea	Burns	Edington	Heflin
Avery	Cantrell	Edwards (Escambia)	Hogan
Bailes	Carr	Edwards (Lowndes)	Ingram
Barnett	Casey	Etheredge	Jones (Covington)
Bassett	Cook	Faulk	Jones (Monroe)
Bethea (M)	Cooper	Fields	McDermott
Blanton	Cornett	Gilmore	Mashburn
Bolton	Crawford	Glass	Meeks
Boston	Daniel	Grouby	Merrill
Bowers	Davis	Hain	Moore
Branyon	Doggett	Hankins	Nabors
Brown (Jefferson)	Downing	Hannah	NeSmith

Nettles	Rast	Snell	Turner (Crenshaw)
Paulk	Reynolds	Steagall	Turner (Limestone)
Pennington	Rogers	Stembridge	Vacca
Perry	Salter	Sullivan	Wood
Pierce	Scurlock	Teel	Young
Posey	Smith	Thomas	

—75

And the bill:

H. 438. To amend Section 10 of Act No. 17, H. 21, Regular Session 1957 (Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jones (Covington)	Pruitt
Albea	Daniel	Jones (Monroe)	Rast
Avery	Davis	Little	Reynolds
Bailes	Downing	Locke	Rogers
Baker (DeKalb)	Drake	McDermott	Salter
Barnett	Edington	Martin	Scurlock
Bassett	Edwards (Escambia)	Mashburn	Sessions
Bethea (B)	Edwards (Lowndes)	Meeks	Slate
Bethea (M)	Etheredge	Merrill	Smith
Bevill	Faulk	Moore	Steagall
Blanton	Fields	Morrow	Stembridge
Boston	Gilmore	Nabors	Sullivan
Bowers	Glass	NeSmith	Teel
Branyon	Grouby	Nettles	Thomas
Brown (Jefferson)	Hain	Owens	Turner (Crenshaw)
Burnham	Hankins	Paulk	Turner (Limestone)
Camp	Hannah	Pennington	Turnham
Cantrell	Harper	Pierce	Vacca
Cates	Heflin	Posey	Wood
Cook	Hogan	Powell	Young
Cornett	Ingram		

—82

And the bill:

H. 444. To prescribe the manner of fixing the salary of the chief deputy sheriff of Geneva County, Alabama, the maximum and minimum thereof and the manner of payment of the same.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Branyon	Carr
Albea	Bethea (M)	Brown (Jefferson)	Cates
Avery	Bevill	Burnham	Cornett
Bailes	Blanton	Camp	Crawford
Baker (DeKalb)	Boston	Campbell (Jackson)	Daniel
Barnett	Bowers	Cantrell	Davis

Downing	Harper	Morrow	Scurlock
Drake	Hawkins	Nabors	Sessions
Edington	Heflin	NeSmith	Smith
Edwards (Escambia)	Hester	Nettles	Snell
Edwards (Lowndes)	Hogan	Owens	Steagall
Engel	Ingram	Paulk	Stembridge
Etheredge	Jones (Covington)	Pennington	Sullivan
Faulk	Jones (Monroe)	Pierce	Teel
Fields	Little	Posey	Thomas
Gilmore	Locke	Powell	Turner (Crenshaw)
Glass	McDermott	Pruitt	Turner (Limestone)
Goodwyn	Martin	Rast	Turnham
Grouby	Mashburn	Reynolds	Vacca
Hain	Meeks	Rogers	Wood
Hankins	Merrill	Salter	Young
Hannah	Moore		

—87

And the bill:

H. 466. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing additional expense allowances for certain county officers, payable from the general funds of the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cook	Hogan	Posey
Albea	Cooper	Ingram	Powell
Avery	Cornett	Jones (Covington)	Pruitt
Bailes	Crawford	Jones (Monroe)	Rast
Baker (DeKalb)	Daniel	Little	Reynolds
Barnett	Davis	Locke	Rogers
Bassett	Drake	McDermott	Salter
Bethea (B)	Edington	Martin	Scurlock
Bethea (M)	Edwards (Escambia)	Mashburn	Sessions
Bevill	Edwards (Lowndes)	Meeks	Smith
Blanton	Engel	Merrill	Snell
Boston	Etheredge	Moore	Stembridge
Bowers	Faulk	Morrow	Sullivan
Branyon	Fields	Nabors	Teel
Brown (Jefferson)	Gilmore	NeSmith	Thomas
Burnham	Glass	Nettles	Turner (Crenshaw)
Burns	Grouby	Owens	Turner (Limestone)
Camp	Hain	Paulk	Turnham
Campbell (Jackson)	Hankins	Pennington	Vacca
Campbell (Tuscaloosa)	Hannah	Perry	Wood
Cantrell	Harper	Pierce	Young
Cates	Heflin		

—86

And the bill:

H. 467. Proposing an amendment to the Constitution of Alabama relating to York in Sumter County, and ordering an election thereon.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hogan	Pruitt
Albea	Crawford	Jones (Covington)	Rast
Avery	Daniel	Jones (Monroe)	Reynolds
Bailes	Davis	Locke	Rogers
Barnett	Doggett	Martin	Salter
Bassett	Drake	Mashburn	Scurlock
Bethea (B)	Edington	Meeks	Sessions
Bethea (M)	Edwards (Escambia)	Merrill	Smith
Bevill	Edwards (Lowndes)	Moore	Snell
Blanton	Engel	Morrow	Steagall
Boston	Etheredge	Nabors	Stembridge
Branyon	Faulk	NeSmith	Sullivan
Brown (Jefferson)	Fields	Nettles	Teel
Burnham	Gilmore	Owens	Thomas
Campbell (Jackson)	Glass	Paulk	Turner (Crenshaw)
Cantrell	Grouby	Pennington	Turner (Limestone)
Carr	Hain	Perry	Turnham
Cates	Hankins	Pierce	Vacca
Cook	Hannah	Posey	Wood
Cooper	Heflin	Powell	Young

—80

And the bill:

H. 475. To amend further Section 3 of Act. No. 162, Regular Session 1943 (Local Acts 1943, p. 78) to fix the expense allowance of the sheriff of Cherokee County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crawford	Heflin	Posey
Albea	Daniel	Hester	Pruitt
Avery	Davis	Hogan	Rast
Bailes	Doggett	Ingram	Reynolds
Barnett	Downing	Jones (Covington)	Rogers
Bassett	Drake	Jones (Monroe)	Salter
Bethea (B)	Edington	Little	Scurlock
Bethea (M)	Edwards (Escambia)	Locke	Sessions
Bevill	Edwards (Lowndes)	Martin	Slate
Blanton	Engel	Mashburn	Smith
Boston	Etheredge	Meeks	Snell
Bowers	Faulk	Merrill	Steagall
Branyon	Fields	Moore	Stembridge
Brown (Jefferson)	Gilmore	Morrow	Sullivan
Brown (Tuscaloosa)	Glass	Nabors	Teel
Burnham	Goldthwaite	NeSmith	Thomas
Burns	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Grouby	Owens	Turner (Limestone)
Cantrell	Hain	Paulk	Turnham
Carr	Hankins	Pennington	Vacca
Cates	Hannah	Perry	Wood
Cook	Hawkins	Pierce	Young
Cooper			

—89

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 470, was adopted.

PASSAGE OF H. 470

And the bill:

H. 470. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 1.

Yeas:

Mr. Speaker	Cornett	Heflin	Posey
Albea	Crawford	Hester	Powell
Avery	Daniel	Hogan	Pruitt
Bailes	Davis	Ingram	Rast
Baker (DeKalb)	Doggett	Jones (Covington)	Reynolds
Barnett	Dominick	Jones (Monroe)	Rogers
Bassett	Downing	Locke	Salter
Bethea (B)	Drake	McDermott	Scurlock
Bethea (M)	Edington	Martin	Sessions
Bevill	Edwards (Escambia)	Mashburn	Slate
Bolton	Edwards (Lowndes)	Meeks	Smith
Boston	Engel	Merrill	Snell
Bowers	Etheredge	Moore	Steagall
Brown (Jefferson)	Faulk	Morrow	Stembridge
Burnham	Gilmore	Nabors	Sullivan
Burns	Glass	NeSmith	Teel
Camp	Goldthwaite	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Paulk	Turnham
Cantrell	Hain	Pennington	Vacca
Cates	Hankins	Perry	Wood
Cook	Hannah	Pierce	Young
Cooper	Hawkins		

—90

Nay:

Mr. Branyon

—1

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 130. To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and

orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379) as last amended.

Was again taken up.

The question was upon the adoption of the substitute offered by Mr. McCorquodale for the bill, H. 130, said substitute being set out in the Journal of the House on the last legislative day.

Mr. Carr moved to lay on the table the substitute offered by Mr. McCorquodale.

Mr. Thomas offered a substitute motion to postpone further consideration of the bill, H. 130, and pending substitute, until the seventeenth legislative day.

The motion of Mr. Carr to lay on the table the substitute motion of Mr. Thomas was lost.

Yeas 22; Nays 69.

Yeas:

Mr. Speaker	Gilmore	Nabors	Scurlock
Burns	Heflin	NeSmith	Smith
Cantrell	Ingram	Owens	Snell
Carr	Jones (Covington)	Powell	Wood
Doggett	Mashburn	Rogers	Young
Drake	Moore		

—22

Nays:

Messrs.	Casey	Hain	Perry
Albea	Cates	Hankins	Pierce
Bailes	Collins	Hannah	Posey
Barnett	Cook	Hawkins	Pruitt
Bassett	Cornett	Hester	Rast
Bethea (B)	Daniel	Hogan	Reynolds
Bethea (M)	Davis	Jones (Monroe)	Salter
Bolton	Dominick	Little	Sessions
Boston	Downing	Locke	Slate
Bowers	Edington	McDermott	Steagall
Branyon	Edwards (Escambia)	Martin	Stembridge
Brown (Jefferson)	Engel	Meeks	Sullivan
Brown (Tuscaloosa)	Etheredge	Merrill	Thomas
Burnham	Faulk	Morrow	Turner (Crenshaw)
Callahan	Glass	Nettles	Turner (Limestone)
Camp	Goldthwaite	Paulk	Turnham
Campbell (Jackson)	Goodwyn	Pennington	Vacca
Campbell (Tuscaloosa)	Grouby		

—69

The question was then on the substitute motion of Mr. Thomas to postpone further consideration of the bill, H. 130, and pending substitute, until the seventeenth legislative day, and said substitute motion was adopted.

MOTION TO SUSPEND RULES LOST

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to

take up for immediate consideration the third reading of the bills, H. 405, H. 406 and H. 407, was lost.

Yeas 47; Nays 44.

Yeas:

Mr. Speaker	Cook	Heflin	Rogers
Albea	Cornett	Hogan	Salter
Baker (DeKalb)	Davis	Jones (Covington)	Smith
Barnett	Doggett	Mashburn	Snell
Bassett	Downing	Merrill	Steagall
Bevill	Drake	Nabors	Stembridge
Bolton	Edington	Nettles	Sullivan
Burnham	Edwards (Escambia)	Owens	Thomas
Burns	Engel	Paulk	Turner (Crenshaw)
Camp	Glass	Pennington	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Pierce	Turnham
Cates	Hain	Powell	

—47

Nays:

Messrs.	Casey	Hester	Perry
Avery	Collins	Ingram	Posey
Bailes	Daniel	Jones (Monroe)	Pruitt
Bethea (B)	Dominick	Little	Rast
Bethea (M)	Etheredge	Locke	Reynolds
Boston	Gilmore	McDermott	Scurlock
Bowers	Goldthwaite	Martin	Sessions
Branyon	Grouby	Meeks	Slate
Brown (Jefferson)	Hankins	Moore	Teel
Brown (Tuscaloosa)	Hannah	Morrow	Vacca
Campbell (Tuscaloosa)	Hawkins	NeSmith	Young
Carr			

—44

BILLS ON THIRD READING RESUMED

H. 142. (With Substitute). Relating to motor vehicles; to create, establish, and regulate payments into and disbursements from an Uninsured Motorists Fund in the state treasury; to require certain fees for the registration of uninsured motor vehicles, and to require that such fees be paid into that fund; to require notification of cancellation or termination of certain insurance policies; to provide for the supervision and control of the Uninsured Motorists Fund; to require certain payments therefrom to insurance companies writing motor vehicle bodily injury and property damage liability insurance and, based thereon, certain reductions in the rate applicable to uninsured motorists endorsements or provisions; and to provide penalties, including suspension of drivers' licenses, certificates of registration, and license plates under certain conditions.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

Substitute for H.B. 142

A BILL
TO BE ENTITLED
AN ACT

Relating to motor vehicles; to create, establish, and regulate payments into and disbursements from an Uninsured Motorists Fund in the state treasury; to require certain fees for the registration of uninsured motor vehicles, and to require that such fees be paid into that fund; to provide for the supervision and control of the Uninsured Motorists Fund; to require certain payments therefrom to insurance companies writing motor vehicle bodily injury and property damage liability insurance and, based thereon, certain reductions in the rate applicable to uninsured motorists endorsements or provisions; and to prescribe penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In addition to any other fees prescribed by law, every person registering an uninsured motor vehicle, as hereinafter defined, in this State, for the registration year commencing October 1, 1963, and for each registration year thereafter, shall pay at the time of registering the vehicle a fee of twenty dollars. The judge of probate of every county is authorized to require that any person applying for registration of a motor vehicle or motor vehicles certify under the penalties set forth in Section 2 hereof whether or not each such motor vehicle is an insured motor vehicle as herein defined.

Section 2. Whoever knowingly makes a false certificate as to whether a motor vehicle is an insured motor vehicle or presents to the judge of probate false evidence that any motor vehicle sought to be registered is insured, shall be guilty of a misdemeanor and on conviction thereof shall be fined not less than fifty dollars nor more than one thousand dollars, or confined in jail for not less than ten days nor more than six months, or both. If the Director of Public Safety finds that any person has presented a false certificate or false evidence that a motor vehicle is insured, the Director of Public Safety shall suspend, and not thereafter reissue for a period of one year, the operator's or chauffeur's license of the person making such false certificate or offering such false evidence.

Section 3. As used in this Act, the term "insured motor vehicle" means a motor vehicle as to which there is bodily injury liability insurance and property damage liability insurance, both in the amounts specified in the Motor Vehicle Safety-Responsibility Act, as amended from time to time, issued by an insurance carrier authorized to do business in this State, or as to which the owner has qualified as a self-insurer (or is a municipality) or is covered by a valid bond in accordance with the provisions of the Motor Vehicle Safety-Responsibility Act; and the term "uninsured motor vehicle" means a motor vehicle as to which there is no such bodily injury liability insurance and property damage liability insurance, or no such bond, or the owner of which has not so qualified as a self-insurer.

Section 4. All funds collected under the provisions of this Act shall be paid into the state treasury, and shall be held in a special fund to be known as the "Uninsured Motorists Fund" and disbursed as hereinafter provided.

Section 5. The Uninsured Motorists Fund shall be under the supervision and control of the State Department of Insurance and shall be paid out, on warrants of the Comptroller issued on vouchers signed by the Superintendent of Insurance, for the purpose of reducing the costs of the endorsement or provisions undertaking to pay the insured all sums which he shall be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle, within limits which shall be no less than the requirements of the Motor Vehicle Safety-Responsibility Act, as required by

law to be contained in liability insurance policies on motor vehicles. An amount equal to five percent of all receipts of the fund, or so much thereof as may be necessary, may be spent by the Department of Insurance in administering this Act.

Section 6. The Superintendent of Insurance shall annually, at such time in each year as he may deem best for the purpose, make distribution from the Uninsured Motorists Fund among the several insurance companies writing motor vehicle bodily injury and property damage liability insurance on motor vehicles registered in the State of Alabama in the proportion that the premium income for the basic limits coverage of each insurance company (that is, gross premiums less cancellation and return premiums) for coverage under the endorsement or provisions relating to the recovery of damages from the owner or operator of an uninsured motor vehicle bears to the total of such premium income for such coverage written in the State during the preceding year; and the Superintendent shall then cause a reduction of the rate approved for such endorsement or provisions in proportion to the funds to be distributed as provided herein. Should the amount in the Fund exceed the amount necessary to cover the entire cost to policyholders of the coverage under the endorsement or provisions relating to the recovery of damages from the owner or operator of an uninsured motor vehicle, or if for any other reason such funds, or any of them, cannot be so expended, the balance remaining in the Fund shall be paid into the general fund in the state treasury. It is the intent of this Act that each policyholder shall have the cost of such endorsement or provision reduced through such adjustment of rate, so far as possible out of the funds collected from uninsured motorists and distributed as provided herein, and that such reduction in the cost of such endorsement is intended to serve as an added inducement to the uninsured motorist to procure insurance coverage. The amount payable to any such insurance company hereunder shall apply only to those companies maintaining records satisfactory to the Superintendent of Insurance as will disclose loss experience under such endorsement.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. All laws or parts of laws which conflict with this Act are repealed.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

RECESS

On motion of Mr. Goldthwaite the House recessed until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 3:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 58. Authorizing the Board of Trustees of the University of Alabama to designate the Rehabilitation Center Building in the University of Alabama Medical Center in Birmingham as "The Spain Rehabilitation Center."

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 56. Commending the employees of the Goodyear Tire and Rubber Company in Gadsden for obtaining recognition by being awarded a certificate of merit for outstanding safety achievements.

Also:

H. J. R. 57. Expressing deep regret at the passing of Mr. Ralph A. Clark and extending sympathy to his family.

Also:

H. J. R. 59. Authorizing the Board of Trustees of the University of Alabama to designate the Social Science Building on the main campus of the University at Tuscaloosa as "Marten ten Hoor Hall".

Also:

H. J. R. 60. Authorizing the Board of Trustees of the University of Alabama to designate the women's residence hall located on the old Athletic Practice Field of the main campus of the University of Alabama at Tuscaloosa as "Martha Parham Hall."

Also:

H. J. R. 54. Making proper public recognition of heroic effort of Thomas W. Ray, Leo F. Baker, Riley W. Shamburger, and Wade C. Gray at the Bay of Pigs in Cuba.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. McCain:

S. J. R. 18. WHEREAS the members of the Legislature of Alabama learned with sadness of the death of Dr. Lee Bidgood, Dean Emeritus of the School of Commerce and Business Administration at the University of Alabama, and former Interim President of the University of Alabama, on Friday afternoon, May 17, 1963, and

WHEREAS Dr. Bidgood's wisdom, leadership and imagination had been devoted to the people of Alabama during all of the 50 years which followed his appointment as Professor of Economics at the University of Alabama in 1913, and

WHEREAS he served as the first Dean of the School of Commerce and Business Administration at the University from 1919 to 1954, and was therefore responsible for creating and maintaining the State's only fully accredited School of Commerce, and

WHEREAS Dr. Bidgood distinguished himself as a consultant and adviser in many phases of the business and industrial development of Alabama.

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES CONCURRING, That due note of the death of Dr. Lee Bidgood be made, and the Legislature does hereby express to the members of his family in their great bereavement at this time and extend to them its full sympathy.

BE IT FURTHER RESOLVED that the Legislature does hereby recognize the contributions made by Dr. Bidgood as a teacher and consultant who played a major part in the industrial and commercial development of our state in his generation.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the volumes of this body and copies forwarded to the members of his family and to the Board of Trustees of the University of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Callahan the rules were suspended and the House concurred in and adopted the S.J.R. 18 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 60. Relating to Barbour County; to authorize the appointment of two jailers by the county governing body.

Also:

S. 62. To extend, alter and rearrange the boundary lines and corporate limits of the City of Eufaula, in Barbour County, Alabama.

Also:

S. J. R. 15. Expressing sympathy at the passing of Pitt Tyson Maner.

Also:

S. J. R. 16. Expressing grateful appreciation felt by all citizens of Alabama for Dr. Howard M. Phillips' great services to our state.

Also:

S. J. R. 17. Designating and naming the lake formed by the waters of the Walter F. George Lock and Dam as "Lake Eufaula".

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following resolution, and ordered same returned to the House with a favorable report.

By Messrs. Beville, Turner (Crenshaw), Cook, Turnham, Steagall, Mashburn, Wood, Goodwyn, Cornett, Blanton, Hain and Scurlock:

H. J. R. 62. Memorializing Congress to call a convention for the purpose of proposing an amendment to the Constitution of the United States.

BE IT RESOLVED by the House of Representatives, the Senate concurring, that this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing the following article as an amendment to the Constitution of the United States.

"ARTICLE

"Section 1. No provision of this Constitution, or any amendment thereto, shall restrict or limit any state in the apportionment of representation in its legislature.

"Section 2. The judicial power of the United States shall not extend to any suit in law or equity, or to any controversy, relating to apportionment of representation in a state legislature.

"Section 3. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the Legislatures of three-fourths of the several States within seven years from the date of its submission."

BE IT FURTHER RESOLVED that if Congress shall have proposed an amendment to the Constitution identical with that contained in this resolution prior to January 1, 1965, this application for a convention shall no longer be of any force or effect.

BE IT FURTHER RESOLVED that a duly attested copy of this resolution be immediately transmitted to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States and to each member of the Congress from this State.

The motion of Mr. Bethea (M) to indefinitely postpone the resolution, H.J.R. 62, was lost.

Yeas 25; Nays 72.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Fields	Pennington
Bailes	Dominick	McDermott	Perry
Bassett	Downing	Meeks	Rast
Bethea (M)	Edington	Morrow	Sessions
Bowers	Engel	Nabors	Sullivan
Brown (Jefferson)	Etheredge	Owens	Vacca
Burns			

—25

Nays:

Mr. Speaker	Cook	Harper	Posey
Avery	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Barnett	Crawford	Hogan	Rogers
Bethea (B)	Daniel	Ingram	Salter
Bevill	Davis	Jones (Covington)	Scurlock
Blanton	Doggett	Jones (Monroe)	Slate
Bolton	Drake	Little	Smith
Boston	Edwards (Escambia)	Locke	Snell
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Tuscaloosa)	Faulk	Mashburn	Stembridge
Burnham	Glass	Meade	Teel
Camp	Goldthwaite	Merrill	Thomas
Campbell (Jackson)	Goodwyn	Moore	Turner (Crenshaw)
Carr	Grouby	NeSmith	Turner (Limestone)
Casey	Hain	Nettles	Turnham
Cates	Hankins	Paulk	Wood
Collins	Hannah	Pierce	Young

—72

And the resolution, H.J.R. 62, was adopted.

Yeas 74; Nays 23.

Yeas:

Mr. Speaker	Cooper	Heflin	Powell
Avery	Cornett	Hester	Pruitt
Baker (DeKalb)	Crawford	Hogan	Rogers
Barnett	Daniel	Ingram	Salter
Bassett	Davis	Jones (Covington)	Scurlock
Bevill	Doggett	Jones (Monroe)	Slate
Blanton	Downing	Little	Smith
Bolton	Drake	Locke	Snell
Boston	Edwards (Escambia)	Martin	Steagall
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Burnham	Faulk	Meade	Teel
Burns	Glass	Merrill	Thomas
Callahan	Goldthwaite	Moore	Turner (Crenshaw)
Camp	Goodwyn	NeSmith	Turner (Limestone)
Campbell (Jackson)	Grouby	Nettles	Turnham
Casey	Hain	Paulk	Vacca
Cates	Hankins	Pierce	Wood
Collins	Hannah	Posey	Young
Cook	Harper		

—74

Nays:

Messrs.	Brown (Tuscaloosa)	Fields	Nabors
Albea	Campbell (Tuscaloosa)	Gilmore	Owens
Bailes	Dominick	Hawkins	Pennington
Bethea (M)	Edington	McDermott	Perry
Bowers	Engel	Meeks	Rast
Brown (Jefferson)	Etheredge	Morrow	Sessions

—23

UNANIMOUS CONSENT GRANTED

Messrs. Boston, Paulk and Hannah requested unanimous consent to add their names as co-authors of the bills, H. 142 and H. 143, and it was so granted.

CONSIDERATION OF H. 142 RESUMED

H. 142. (With Substitute). Relating to motor vehicles; to create, establish, and regulate payments into and disbursements from an Uninsured Motorists Fund in the state treasury; to require certain fees for the registration of uninsured motor vehicles, and to require that such fees be paid into that fund; to require notification of cancellation or termination of certain insurance policies; to provide for the supervision and control of the Uninsured Motorists Fund; to require certain payments therefrom to insurance companies writing motor vehicle bodily injury and property damage liability insurance and, based thereon, certain reductions in the rate applicable to uninsured motorists endorsements or provisions; and to provide penalties, including suspension of drivers' licenses, certificates of registration, and license plates under certain conditions.

Was again taken up.

And the substitute reported by the Standing Committee on Judiciary was adopted.

Yeas 74; Nays 13.

Yeas:

Mr. Speaker	Collins	Grouby	Pennington
Albea	Cook	Hain	Perry
Avery	Cooper	Hannah	Powell
Bailes	Cornett	Heflin	Rast
Baker (Beale)	Crawford	Hogan	Rogers
Barnett	Davis	Ingram	Salter
Bassett	Doggett	Jones (Covington)	Scurlock
Bethea (B)	Downing	Little	Slate
Bethea (M)	Drake	Locke	Smith
Blanton	Edington	McDermott	Snell
Bolton	Edwards (Escambia)	Mashburn	Steagall
Boston	Engel	Meade	Stembridge
Bowers	Etheredge	Meeks	Teel
Brown (Jefferson)	Faulk	Merrill	Thomas
Burnham	Gilmore	Morrow	Turner (Crenshaw)
Eurns	Glass	Nabors	Turner (Limestone)
Callahan	Goldthwaite	Owens	Turnham
Campbell (Jackson)	Goodwyn	Paulk	Young

—74

Nays:

Messrs.	Carr	Hester	NeSmith
Branyon	Daniel	Jones (Monroe)	Nettles
Brown (Tuscaloosa)	Edwards (Lowndes)	Martin	Pierce
Campbell (Tuscaloosa)			

—13

Mr. Collins offered the following amendment to the bill, H. 142, as amended:

AMEND H.B. 142 as substituted

Amend HB 142 by changing the year in Section 1 from "1963" to 1964.

And the amendment was adopted.

Yeas 84; Nays 6.

Yeas:

Mr. Speaker	Cooper	Harper	Pierce
Albea	Cornett	Heflin	Powell
Avery	Crawford	Hogan	Pruitt
Bailes	Davis	Ingram	Rast
Baker (DeKalb)	Doggett	Jones (Covington)	Rogers
Barnett	Dominick	Jones (Monroe)	Salter
Bassett	Downing	Little	Scurlock
Bethea (B)	Drake	Locke	Sessions
Bethea (M)	Edington	Martin	Slate
Bevill	Edwards (Escambia)	Mashburn	Smith
Blanton	Edwards (Lowndes)	Meade	Snell
Bolton	Engel	Meeks	Steagall
Bowers	Etheredge	Merrill	Stembridge
Branyon	Faulk	Moore	Sullivan
Brown (Jefferson)	Fields	Morrow	Teel
Burnham	Gilmore	Nabors	Thomas
Campbell (Tuscaloosa)	Glass	NeSmith	Turner (Crenshaw)
Casey	Goodwyn	Nettles	Turner (Limestone)
Cates	Grouby	Owens	Vacca
Collins	Hain	Paulk	Young
Cook	Hankins	Perry	

—84

Nays:

Messrs.	Burns	Daniel	Pennington
Boston	Campbell (Jackson)	Hannah	

—6

Mr. Etheredge offered the following substitute for the bill, H. 142, as amended:

A BILL
TO BE ENTITLED
AN ACT

Relating to required coverage in motor vehicle bodily injury liability insurance policies or contracts issued or delivered in this State requiring all such policies or contracts of insurance to include a provision insuring the

insurer and providing to pay the insured such sum as he may be legally entitled to recover as damages from the owner or operator of an uninsured motor vehicle and providing for the insured to have the right to reject such coverage.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No policy insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person arising out of the ownership, maintenance or use of a motor vehicle shall be delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state unless coverage is provided therein or supplemental thereto, in limits for bodily injury or death set forth in Subsection (C) of Section 74 (46) under provisions approved by the Commissioner of Insurance, for the protection of persons insured thereunder who are legally entitled to recover damages from owners or operators of uninsured motor vehicles because of bodily injury, sickness or disease, including death, resulting therefrom; provided, that the named insured shall have the right to reject such coverage; and provided further, that unless the named insured requests such coverage in writing, such coverage need not be provided in or supplemental to a renewal policy where the named insured had rejected the coverage in connection with a policy previously issued to him by the same insurer.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

The point of order raised by Mr. Hain that the substitute offered by Mr. Etheredge was not germane to the bill, H. 142, was sustained by the Chair.

Mr. Steagall offered the following amendment to the bill, H. 142, as amended:

Amendment to H. B. 142

In Section 1, add at the end thereof the following: The probate judge, license commissioner, or other like officer of the county who is charged with the duty of issuing motor vehicle license tags and plates shall be entitled to a fee of fifty cents for each application filed; provided, that where the probate judge is on a salary basis, the fee shall be paid into the general fund of the county.

Also, in Section 1, second sentence, insert after the words "The judge of probate" the following: or license commissioner, or other officer charged with the duty of issuing license tags or plates.

And the amendment was adopted.

Yeas 65; Nays 18.

Yeas:

Mr. Speaker	Bowers	Cooper	Faulk
Albea	Brown (Jefferson)	Cornett	Fields
Avery	Brown (Tuscaloosa)	Crawford	Gilmore
Baker (DeKalb)	Burnham	Dominick	Glass
Barnett	Burns	Downing	Goldthwaite
Bassett	Callahan	Drake	Goodwyn
Bethea (B)	Campbell (Jackson)	Edington	Grouby
Blanton	Casey	Edwards (Escambia)	Hain
Bolton	Collins	Engel	Hankins
Boston	Cook	Etheredge	Hannah

Hawkins	Merrill	Rast	Stembridge
Heflin	Nabors	Rogers	Teel
Hogan	Owens	Salter	Thomas
Ingram	Paulk	Slate	Turner (Cronshaw)
Locke	Perry	Smith	Turner (Limestone)
Meade	Powell	Steagall	Turnham
Meeks			

—65

Nays:

Messrs.	Jones (Covington)	Moore	Pruitt
Bailes	Little	NeSmith	Scurlock
Branyon	McDermott	Nettles	Sullivan
Cates	Martin	Pennington	Vacca
Hester	Mashburn	Pierce	

—18

Mr. Branyon moved to postpone further consideration of the bill, H. 142, as amended, until the seventeenth legislative day.

MOTION TO ADJOURN LOST

The motion of Mr. Hester that the House adjourn until Friday, June 21, 1963, at twelve o'clock, noon, was lost.

CONSIDERATION OF H. 142 RESUMED

H. 142. Relating to motor vehicles; to create, establish, and regulate payments into and disbursements from an Uninsured Motorists Fund in the state treasury; to require certain fees for the registration of uninsured motor vehicles, and to require that such fees be paid into that fund; to require notification of cancellation or termination of certain insurance policies; to provide for the supervision and control of the Uninsured Motorists Fund; to require certain payments therefrom to insured companies writing motor vehicle bodily injury and property damage liability insurance and, based thereon, certain reductions in the rate applicable to uninsured motorists endorsements or provisions; and to provide penalties, including suspension of drivers licenses, certificates of registration, and license plates under certain conditions.

As amended, was again taken up.

The motion of Mr. Steagall to lay on the table the motion of Mr. Branyon to postpone further consideration of the bill, H. 142, as amended, until the seventeenth legislative day, was lost.

Yeas 36; Nays 57.

Yeas:

Mr. Speaker	Campbell (Jackson)	Hain	Pennington
Albea	Cook	Hannah	Salter
Blanton	Cooper	Ingram	Slate
Bolton	Cornett	Jones (Covington)	Steagall
Boston	Crawford	Locke	Stembridge
Bowers	Daniel	Mashburn	Thomas
Burnham	Dominick	Merrill	Turner (Cronshaw)
Callahan	Goldthwaite	Owens	Turner (Limestone)
Camp	Goodwyn	Paulk	Turnham

—36

Nays:

Messrs.	Collins	Hankins	NeSmith
Avery	Davis	Hawkins	Nettles
Bailes	Doggett	Heflin	Perry
Baker (DeKalb)	Downing	Hester	Pierce
Barnett	Drake	Hogan	Powell
Bethea (M)	Edington	Jones (Monroe)	Pruitt
Bevill	Edwards (Escambia)	Little	Rast
Branyon	Edwards (Lowndes)	McDermott	Rogers
Brown (Jefferson)	Engel	Martin	Scurlock
Brown (Tuscaloosa)	Etheredge	Meade	Smith
Burns	Faulk	Meeks	Snell
Campbell (Tuscaloosa)	Fields	Moore	Sullivan
Carr	Gilmore	Morrow	Teel
Casey	Glass	Nabors	Young
Cates	Grouby		

—57

And the motion of Mr. Branyon to postpone further consideration of the bill, H. 142, as amended, until the seventeenth legislative day was adopted.

Yeas 53; Nays 43.

Yeas:

Messrs.	Doggett	Hester	Pierce
Avery	Drake	Jones (Monroe)	Posey
Bailes	Edwards (Escambia)	Little	Powell
Barnett	Edwards (Lowndes)	McDermott	Pruitt
Bethea (M)	Etheredge	Martin	Rast
Bevill	Faulk	Meade	Rogers
Branyon	Fields	Meeks	Scurlock
Brown (Jefferson)	Gilmore	Moore	Sessions
Brown (Tuscaloosa)	Goldthwaite	Morrow	Smith
Carr	Grouby	Nabors	Stembridge
Casey	Hankins	NeSmith	Sullivan
Cates	Harper	Nettles	Teel
Daniel	Hawkins	Perry	Vacca
Davis	Heflin		

—53

Nays:

Mr. Speaker	Campbell (Jackson)	Goodwyn	Pennington
Albca	Collins	Hain	Salter
Baker (DeKalb)	Cook	Hannah	Slate
Bassett	Cooper	Hogan	Snell
Blanton	Cornett	Ingram	Steagall
Bolton	Crawford	Jones (Covington)	Thomas
Boston	Dominick	Locke	Turner (Greshaw)
Bowers	Downing	Mashburn	Turner (Limestone)
Burnham	Edington	Merrill	Turnham
Callahan	Engel	Owens	Young
Camp	Glass	Paulk	

—43

RESOLUTION

The following resolution was introduced:

By Mr. Young:

H. J. R. 63. WHEREAS, the Supreme Court of the United States has with each release of its decisions revealed an attitude of omnipotence and shocking disregard, if not utter contempt, of the fundamental principles and concepts upon which our cherished liberties and democratic institutions were derived; and

WHEREAS, the submission to the state of the American Bill of Rights was insisted upon and ratified by the states for the sole purpose of imposing limitations upon the powers of the central government including the Supreme Court of the United States, to the end that the control of local democratic institutions should forever remain with the people; and

WHEREAS, there is no institution in this nation nearer to the people or more democratic in concept and in operation than our public schools, and none more responsive to and expressive of the will of the majority of the community in which they serve; and

WHEREAS, the United States Supreme Court has wrested from the people and their elected school officials the right to operate the schools in accordance with the will of the majority and has substituted administration by injunction and decrees of federal district courts which have asserted authority to allocate school funds, to control teacher hiring, pupil transfers, school closing, pupil transportation and even enjoined against adoption of certain curricula; and

WHEREAS, in the Supreme Court Opinion of Justice Tom Clark on Monday June 17, 1963, the court has assumed authority to declare illegal the recitation of the Lord's Prayer in public schools and to outlaw reading from the Bible and all other activities which may be declared by the court to be a "religious observance"; and

WHEREAS, this last decision was predictable in the light of the widely publicized "revolution" against constitutional government by a group of insufferable egotists and self acclaimed sophisticates who constitute the disciples of moral and ethical absolutism of the new frontier of Godless, Materialistic, humanism, and who look to the United States Supreme Court as the seat of authority in all matters of moral and ethical judgments as a basis for coerced acceptance; and

WHEREAS, the new frontier is not new but as old as tyranny and likewise doomed by the certainty of history to the same fate by an aroused and determined people who refuse to accept dictation of conscience and control of democratic institutions by atheistic, politically appointed jurists who pronounce their anti-religious edicts from the security of lifetime office and in contempt of the cherished sentiments and tradition of the people; and

WHEREAS, the decision is contrary to the spirit and intent of the federal constitution; contrary to law; contrary to reason and common sense; contrary to the great spiritual heritage of this nation and the cherished traditions of a religious and democratic society; and constitutes a gross abuse of power and perversion of office for revolutionary purposes; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, THE HOUSE AND SENATE CONCURRING, That we deplore and condemn this decision and submit with all the authority of the people in whom the ultimate power of government rests that the court must act with a self restraint that recognizes diversity and inherent differences of people and sections of this country and their deep aversion to decreed and enforced ethical conformity on the basis of judicial decree, and urge the court to reconsider and reverse this dangerous trend toward the establishment of judicial oligarchy.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each member of the United States Supreme Court.

On motion of Mr. Young the rules were suspended and H.J.R. 63 was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Merrill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 174, was adopted.

PASSAGE OF H. 174

And the bill:

H. 174. To provide for a special low-cost hunting license for residents of this State who are 65 years of age or older; to provide for the disposition of the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Cates	Hain	Owens
Albea	Collins	Hankins	Pennington
Avery	Cooper	Hannah	Perry
Bailes	Cornett	Harper	Pierce
Barnett	Crawford	Heflin	Rast
Bethea (B)	Daniel	Hester	Rogers
Bethea (M)	Davis	Hogan	Salter
Blanton	Doggett	Ingram	Scurlock
Bolton	Dominick	Jones (Covington)	Sessions
Boston	Downing	Jones (Monroe)	Slate
Bowers	Drake	Little	Smith
Branyon	Edington	Locke	Snell
Brown (Jefferson)	Edwards (Escambia)	McDermott	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	Mashburn	Stembridge
Burnham	Etheredge	Meade	Sullivan
Burns	Faulk	Meeks	Teel
Callahan	Fields	Merrill	Thomas
Camp	Gilmore	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Casey			

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Nay:

Mr. Paulk

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 94, was adopted.

PASSAGE OF H. 94

And the bill:

H. 94. (With Amendments). To amend Act No. 248, H. 87, Regular Session 1955 (Acts 1955, v. 1, p. 586), an act levying a state lodgings tax, so as to increase the rate of the tax and to provide further for the distribution of revenue derived therefrom.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Ways and Means, said committee amendments being as follows:

WAYS AND MEANS COMMITTEE AMENDMENT NO. 1 TO H. 94

Amend H. B. 94 by striking therefrom Section 2 of said bill and insert in lieu therefor the following:

"Section 2. Section 19 of said Act No. 248 of 1955 is hereby amended to read as follows:

"Section 19. All taxes or other funds received or collected by the department under the provisions of this Act shall be without delay deposited in the state treasury. Three-fourths of the revenue derived under this Act shall be used exclusively for paying teachers' salaries, and the remaining one-fourth shall be used exclusively for state travel advertising and travel promotion by the State Bureau of Publicity and Information.' "

And the amendment was adopted.

Yeas 69; Nays 3.

Yeas:

Mr. Speaker	Daniel	Jones (Covington)	Powell
Avery	Davis	Jones (Monroe)	Pruitt
Bailes	Doggett	Little	Rast
Barnett	Dominick	Locke	Rogers
Bethea (B)	Downing	McDermott	Scurlock
Bevill	Drake	Martin	Sessions
Boston	Edwards (Escambia)	Mashburn	Slate
Bowers	Edwards (Lowndes)	Meade	Smith
Branyon	Etheredge	Meeks	Snell
Brown (Jefferson)	Gilmore	Merrill	Steagall
Brown (Tuscaloosa)	Glass	Nabors	Stembridge
Burnham	Goldthwaite	NeSmith	Thomas
Campbell (Jackson)	Hain	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Hankins	Paulk	Turnham
Casey	Hannah	Pennington	Vacca
Cates	Hester	Perry	Wood
Cooper	Hogan	Pierce	Young
Crawford	Ingram		

—69

Nays:

Messrs.	Bolton	Heflin	Teel
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—3

And

WAYS AND MEANS COMMITTEE AMENDMENT NO. 2 TO H. 94

Amend H. B. 94 by striking therefrom in Section 1, Subsection 1 the following words and figures where they appear in lines fourteen (14) and fifteen (15) of said subsection:

"Article 10, Title 51, Code of Alabama 1940" and insert in lieu therefor the following words and figures:

"Act 100, of the Second Special Session of the 1959 Legislature"

And the amendment was adopted.

Yeas 60; Nays 6.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Avery	Cornett	Harper	Paulk
Bailes	Crawford	Hogan	Perry
Barnett	Daniel	Ingram	Pierce
Bevill	Davis	Jones (Monroe)	Powell
Boston	Doggett	Little	Pruitt
Bowers	Dominick	Locke	Rogers
Branyon	Downing	McDermott	Salter
Brown (Jefferson)	Drake	Martin	Scurlock
Brown (Tuscaloosa)	Edwards (Escambia)	Mashburn	Slate
Callahan	Gilmore	Meade	Smith
Campbell (Jackson)	Glass	Meeks	Steagall
Casey	Goldthwaite	Merrill	Thomas
Cates	Hain	Nabors	Turner (Limestone)
Collins	Hankins	NeSmith	Vacca

—60

Nays:

Messrs.	Bolton	Heflin	Teel
Albea	Burnham	Jones (Covington)	

—6

Mr. Camp offered the following amendment to the bill, H. 94, as amended:

Amendment to H. B. 94

In Section 1, second paragraph, strikeout the last two sentences and insert in lieu thereof the following:

The tax shall not apply to rooms, lodgings or accommodations supplied for a period of thirty (30) continuous days or more in any place.

And the amendment was adopted.

Yeas 54; Nays 13.

Yeas:

Mr. Speaker	Bevill	Burnham	Cooper
Albea	Blanton	Burns	Cornett
Bailes	Bolton	Camp	Davis
Baker (DeKalb)	Boston	Campbell (Jackson)	Dominick
Barnett	Bowers	Campbell (Tuscaloosa)	Downing
Bethea (B)	Brown (Tuscaloosa)	Casey	Edwards (Escambia)

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Edwards (Lowndes)	Jones (Monroe)	NeSmith	Smith
Faulk	Little	Owens	Teel
Gilmore	McDermott	Pennington	Thomas
Goldthwaite	Meade	Powell	Turner (Limestone)
Hankins	Meeks	Salter	Turnham
Hannah	Merrill	Scurlock	Vacca
Harper	Moore	Slate	Young
Hogan	Nabors		

—54

Nays:

Messrs.	Drake	Locke	Perry
Branyon	Grouby	Mashburn	Pierce
Brown (Jefferson)	Ingram	Paulk	Rogers
Cates	Jones (Covington)		

—13

And said bill, H. 94, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 13.

Yeas:

Mr. Speaker	Cooper	Harper	Perry
Avery	Cornett	Hogan	Pierce
Bailes	Davis	Jones (Covington)	Pruitt
Baker (DeKalb)	Dominick	Jones (Monroe)	Rast
Bevill	Downing	Little	Rogers
Blanton	Drake	Locke	Scurlock
Boston	Edington	McDermott	Slate
Bowers	Edwards (Escambia)	Martin	Smith
Branyon	Etheredge	Mashburn	Snell
Brown (Jefferson)	Faulk	Meade	Steagall
Brown (Tuscaloosa)	Gilmore	Meeks	Stembridge
Burns	Glass	Merrill	Thomas
Camp	Goldthwaite	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Nettles	Turnham
Casey	Hankins	Owens	Vacca
Cates	Hannah	Paulk	Young
Collins			

—70

Nays:

Messrs.	Bolton	Heflin	Powell
Albea	Burnham	Ingram	Salter
Bethea (B)	Callahan	Moore	Teel
Bethea (M)	Grouby		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 349, was adopted.

PASSAGE OF H. 349

And the bill:

H. 349. To amend Section 2, subsection G (2) (d) 2 of Act No. 34, Special Session 1961, which makes appropriation to the Agricultural Center Board for the Livestock Coliseum.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 2.

Yeas:

Mr. Speaker	Collins	Hannah	Nettles
Albea	Cooper	Hankins	Owens
Avery	Cornett	Harper	Paulk
Baker (DeKalb)	Crawford	Heflin	Perry
Barnett	Daniel	Hester	Pierce
Bethea (B)	Davis	Hogan	Pruitt
Bevill	Doggett	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Salter
Boston	Edington	Jones (Monroe)	Slate
Bowers	Edwards (Lowndes)	Little	Smith
Branyon	Etheredge	Locke	Steagall
Brown (Jefferson)	Faulk	McDermott	Sullivan
Burnham	Fields	Martin	Teel
Burns	Gilmore	Mashburn	Turner (Crenshaw)
Callahan	Glass	Meeks	Turner (Limestone)
Camp	Goldthwaite	Merrill	Turnham
Campbell (Jackson)	Grouby	Moore	Vacca
Casey	Hain	Nabors	Young
Cates			

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Nays:

Messrs.	Bolton	Brown (Tuscaloosa)
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—2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 245. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Also:

H. 238. To repeal Act No. 193 approved August 7, 1927, (Acts of Alabama 1927) beginning at page 193, said Act No. 193 being entitled "An Act. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund."

Also:

H. 234 To abolish the county court of Etowah County, Alabama; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 578, H. 1007 of the Regular Session of 1947 (Local Acts of Alabama 1947, p. 390).

Also:

H. 215. To authorize the governing body of Washington County, Alabama to pay the sum of Three Hundred, Sixty-two and 79/100 Dollars (\$362.79) out of the gasoline tax fund, road and bridge fund, or any other fund in the county treasury not otherwise appropriated to reimburse Ben S. Mandeville for property damages incurred by him as a result of a motor vehicle accident between a truck of Washington County, Alabama and an automobile owned by Ben S. Mandeville in which the driver of the county truck was negligent.

Also:

H. 172. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, drivers licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties of 600,000 population or more in the last or any succeeding federal census, and, provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Also:

H. 147. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Etowah County.

Also:

H. 146. To define, regulate and license barbers and barber colleges, and other like businesses in Etowah County; to create a barbers' commission for said county; to fix the powers and duties of said commission; and to provide a penalty for the violation of the provisions hereof.

Also:

H. 144. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Escambia County.

Also:

H. 138. To provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census.

Also:

H. 129. To repeal Act No. 269, H. 256, Regular Session 1961 (Acts 1961, p. 289), an act which authorizes the levy of sales and use taxes in Choctaw County.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 65. To provide for and require reidentification of the registered electors of Marshall County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Also:

H. 62. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town in Marion County.

Also:

H. 117. To provide an allowance for clerk hire for the circuit court clerk of all counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 116. Relating to counties having populations of not less than 15,300 nor more than 15,400; prescribing the amount of official bond required of the tax collector of the county.

Also:

H. 115. To provide an allowance for clerk hire for the probate judge of all counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 114. Relating to counties having populations of not less than 15,300 nor more than 15,400; authorizing payment from county school funds of an expense allowance to the county superintendent of education.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 216. To authorize municipal industrial development boards organized under Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, to make temporary loans and in evidence thereof to issue revenue bonds or notes maturing not later than eighteen months from date of issue, to provide that such temporary loans may be made in anticipation of the sale and issuance of long-term revenue bonds and, under certain conditions, simultaneously with and after the issuance of long-term revenue bonds, and to provide for payment of such temporary loans from the proceeds of such long-term revenue bonds.

Also:

H. 111. To provide an additional method for mortgaging poultry and other personal property used for the production, processing and marketing of poultry and poultry products by providing that the mortgagor may retain possession of such mortgaged property and dispose of same in the usual course of business under certain conditions and with the consent of the mortgagee; and to further provide and authorize the mortgaging of after acquired poultry and other personal property used in producing, processing and marketing poultry and poultry products.

Also:

H. 5. For the relief of Mrs. Robbie C. Langford; to authorize and direct the governing body of Autauga County to pay to Mrs. Langford the sum of four hundred seventy dollars (\$470) to compensate her for expenses of medical examinations and certain property damage.

Also:

H. 29. To prescribe qualifications for the office of coroner of Escambia County.

Also:

H. 30. To provide for branch banking in Escambia County.

Also:

H. 31. Relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties.

Also:

H. 63. Relating to eminent domain proceedings when Marion County is a party; providing for appointment of members of the board of equalization as commissioners to assess damages.

Also:

H. 59. To provide for the abolishment of the Office of County Engineer for Marion County, Alabama; to provide for the creation of a Division of Public Roads of Marion County; to prescribe the duties of said division; to provide for the appointment of a Chief Engineer to head said division; to prescribe his term of office; to prescribe his qualifications and salary.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 233. To create and establish in Etowah County an inferior court, known as and called the Etowah County Court; to define its jurisdiction and powers; to provide for a judge and other officers of the court, and prescribe their powers, duties, tenure and compensation; to prescribe rules of

procedure for the court; to provide for the execution of the process of the court and the operation thereof; and to authorize and provide for the transfer of cases and causes from other courts to the court hereby created.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Burns the House concurred in and adopted the Senate amendment to the bill, H. 233, said Senate amendment being as follows:

Amendment to H.B. 233

Section 1 of H. B. 233 is amended by striking from Section 1, "Titles 13 and 14" and inserting in lieu thereof "Chapter 7 of Title 13 and Chapter 4 of Article 3 of Title 34."

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	NeSmith
Albea	Cooper	Hankins	Netties
Avery	Cornett	Hannah	Owens
Bailes	Daniel	Harper	Paulk
Baker (DeKalb)	Davis	Heflin	Pennington
Barnett	Doggett	Hester	Perry
Bevill	Dominick	Hogan	Powell
Blanton	Drake	Ingram	Pruitt
Bolton	Edington	Jones (Covington)	Rast
Boston	Edwards (Escambia)	Jones (Monroe)	Rogers
Bowers	Edwards (Lowndes)	Little	Scurlock
Branyon	Engel	Locke	Smith
Brown (Jefferson)	Etheredge	McDermott	Steagall
Brown (Tuscaloosa)	Faulk	Martin	Teel
Burnham	Gilmore	Meeks	Turnham
Burns	Glass	Merrill	Vacca
Camp	Goldthwaite	Morrow	Young
Campbell (Jackson)	Grouby	Nabors	

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Carter:

S. 89. To regulate the compensation and allowances of members of the board of education of Marshall County and provide for the payment thereof.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To regulate the compensation and allowances of members of the board of education of Marshall County and provide for the payment thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Each member of the county board of education of Marshall County shall receive a salary payable out of the public school funds of the county in the amount of \$100 a month. Such salary shall be his entire compensation for the performance of his official duties and he shall not receive any allowance for traveling and hotel expenses incurred in attending meetings of the board and transacting the business of the board.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Ewell H. Reed, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 11, April 18, April 25, and May 2, all in the year 1963.

EWELL H. REED.

Sworn to and subscribed before me May 11, 1963.

WYNELLE HAYES,
Title Notary Public.

Also:

By Mr. Bentley:

S. 110. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and fore-

going Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 89. Local Legislation No. 1.

S. 110. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Tyson, Roberts, Brannan, Evans, McDow, Smith, Metcalf, Hawkins, Hammond, Robison (Montgomery), Eddins, Oden, Horton, Allen, Gilchrist, Reynolds, Montgomery, Bentley, Carter, Adams, Hornsby, Lolley, Taylor, Robison (Pickens), McCain, James, Clark, Dumas, Givhan, Cooper and Nichols:

S. 152. Relating to state parks, memorials, and historical sites; establishing the USS ALABAMA Battleship Commission as a state agency to acquire, transport, berth, renovate, maintain and exhibit the Battleship USS ALABAMA: to establish, create, manage, control and operate a state memorial park for the exhibition of said battleship and for other purposes; to make an appropriation therefor; prescribing the authority, powers, duties, and functions of the Commission and its members, officers, and committees.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read on time and referred to appropriate Standing Committee as follows:

S. 152. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Carter:

S. 119. To amend Section 2 of Act No. 114, H. 159, Special Session 1962, providing for compensation and expense allowances for members of the county board of education of counties of not less than 46,600 nor more than 49,050 population, so to fix the mileage allowance for authorized travel of members at eight cents per mile.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 114, H. 159, Special Session 1962, providing for compenstaion and expense allowances for members of the county board of education of counties of not less than 46,600 nor more than 49,050 population so as to fix the milage allowance for authorized travel of members at eight cents per mile.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 114 H. 159, Special Session 1962, Acts 1962, p....., providing compensation and expense allowance for members of the board of education of counties of not less than 46,600 nor more than 49,050 population is amended to read as follows:

"Section 2. Members of the county board of education in any county to which this Act applies shall be entitled to a compensation of \$15.00 per day for each day's attendance at meetings of the board, together with any expense that may be reasonably incurred, including a mileage allowance of eight cents per mile that may be traveled each way to attend such meeting."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, a Notary Public, in and for said State and County personally appeared the undersigned, Forrest W. Crowe who being first duly sworn according to law, deposes and says that he is the publisher of The Sand Mountain Reporter, a newspaper of general circulation, published at Albertville, in Marshall County, Alabama; that the attached notice, which is a part of this affidavit, was published in the issues of said newspaper, dated April 8, April 15, April 22 and April 29, 1963, that the cost of making said publication is \$13.71 which is due and unpaid.

Signed FORREST W. CROWE,
Publisher.

Sworn to and subscribed before me this the 20th day of May, 1963.

JESSE A. CULP,
Notary Public.

Also:

By Mr. Carter:

S. 120. To provide for and require reidentification of the registered electors of Jackson County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF JACKSON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for and require reidentification of the registered electors of Jackson County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The registered electors of Jackson County whose names appeared on the published list of qualified voters at the last general election for state or county officers shall each reidentify himself or herself as provided in this Act before January 1, 1965, for the names of all those who fail, neglect, or refuse to do so shall be omitted from the lists published thereafter.

Section 2. (a) A voter may reidentify himself by appearing in person before the board of registrars or the judge of probate or one of the duly authorized clerks of the board or judge and answering such questions and submitting such proof as may be set forth hereinafter to establish his identity and place of legal residence.

(b) A voter may reidentify himself at any election at which he votes before January 1, 1965 by answering and signing the questionnaire form provided for in the presence of a clerk, manager, inspector, or returning officer at such election, who shall also sign the questionnaire as an attesting witness. The returning officer shall transmit each signed questionnaire to the judge of probate for transmittal to the board of registrars.

(c) The board of registrars or its duly authorized clerk may visit every precinct in the county for the purpose of reidentifying voters, and a voter may reidentify himself by appearing in person before the board or its clerk in any such precinct and answering such questions as are set forth in the questionnaire form hereinafter prescribed. Due notice of a visit to a precinct for the purpose of reidentifying voters shall be given by publication in a newspaper of general circulation in the county for at least twenty days in advance of the visit, and by posting a copy of the notice in at least three public places in the precinct for the same length of time. The board of registrars and its clerk shall be allowed no more than 30 days in excess of any maximum number of meeting days now provided by law for the purpose of reidentifying voters. The board or clerk shall be entitled to the same per diem allowances for the extra meetings as they are entitled to receive for regular meetings.

(d) A voter who is on active duty in the armed forces of the United States or the spouse of a member of the armed forces on active duty, or any qualified elector of the county who is confined to a hospital other than a hospital for mental patients or any physically incapacitated person, who under the general laws of Alabama is qualified to vote absentee ballots, may also reidentify himself or herself by filling in and mailing to the judge of probate the completed answers to such questions as are set forth in the questionnaire form hereinafter prescribed. The voter's signature to such questionnaire must be witnessed by a commissioned officer of the branch of the armed forces to which the voter is assigned, in the case of a qualified elector on active duty in the armed forces, and by a licensed prac-

ticing physician in attendance on any physically incapacitated person who may be qualified to vote absentee ballot.

Section 3. The questionnaire form which shall be executed by each voter shall be substantially as follows:

**Voter Reidentification Questionnaire
Jackson County**

Name of registered elector. (If elector is a married woman, she must give the full name of her husband and her own maiden name)

_____	_____	_____
Lt. Name	1st Name	Mid. Name

Permanent resident address in _____ County: (Street or route) _____ (City, town or community) _____
(Post office address if different from above). _____

(City, county, state or country)

Date of birth: _____
(Month) (Day) (Year)

Place of birth: _____
(City, County, State)

Sex: Male () Female ()

Race or color: _____

Voting place: _____
(Give location of polling place where you voted in the county the last time you voted in person.)

I declare under penalties of perjury that I have executed this questionnaire form to the best of my ability, and to the best of my knowledge and belief the information stated herein is true, correct and complete; also that I have not been disqualified from voting under the laws of Alabama.

(Signature of voter)

Date: _____

Attest:

(Signature of witness)

(Title of witness)

Section 4. After December 31 1964, the board of registrars and judge of probate of Jackson County shall omit or remove from the lists of qualified voters of the county the names of all registered electors who do not reidentify themselves as required in this Act. However no person whose name is so removed or omitted from the lists of qualified voters shall be by that fact alone disqualified from voting in the county, nor shall he be required to re-register. But proof of his or her qualifications to vote must be made before he or she is allowed to vote at any election.

Section 5. The governing body of Jackson County shall provide the board of registrars and the judge of probate the supplies printed forms, advertisements, equipment and clerical help necessary for reidentification of voters in the county as required by this Act.

Section 6. Whoever willfully makes a false statement in executing a voter reidentification questionnaire form is guilty of perjury, and upon conviction shall be punished by imprisonment for not less than one year nor more than five years.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Fred J. Buchheit, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of the THE SENTINEL AGE, a newspaper of general circulation published in JACKSON County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on Apr 7, Apr 14, Apr 21, and Apr 28, all in the year 1963.

FRED J. BUCHHEIT.

Sworn to and subscribed before me May 7, 1963.

EVELYN TUBBS,
Title Notary Public.

Also:

By Mr. McCain:

S. 123. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama:

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, at any regular session or special session subsequent hereto, and application for its passage and enactment into law will be made.

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. That the corporate limits of the City of Northport, Tuscaloosa County, Alabama, be altered, rearranged, changed and extended so as to include within the corporate limits of said City all of the following additional territory:

PARCEL 1:

As a point of beginning start at the Southeast corner of Section 33, Township 20 South, Range 10 West, which point is on the present city limits of the City of Northport, Alabama; thence Westwardly along the South boundary of said Section 33 and also the present city limits of the City of Northport to the Southwest corner of the Southwest Quarter of the Southeast Quarter of said Section 33; thence Northwardly along the West boundary of said Southwest Quarter of the Southeast Quarter to a point that is 210.0 feet South of the Northwest corner of said Southwest Quarter of the Southeast Quarter; thence Westwardly and parallel to the North boundary of the Southeast Quarter of the Southwest Quarter of said Section 33 for a distance of 210.0 feet to a point; thence northwardly and parallel to the East line of said Southeast Quarter of the Southwest Quarter for a distance of 210.0 feet to a point on the North line of said Southeast Quarter of the Southwest Quarter; thence Eastwardly along the North line of said Southeast Quarter of the Southwest Quarter for a distance of 210.0 feet to the Northeast corner of said Southeast Quarter of the Southwest Quarter; thence Northwardly along the West line of the Northwest Quarter of the Southeast Quarter of said Section 33 to an intersection with the South boundary of the Shirley Road; thence Northwestwardly along the curving North boundary of said Shirley road to an intersection with the West boundary of lot 21 of the Foster Acres survey, a plat of said survey being recorded in Plat Book 5, at Page 97, in the Probate Office of Tuscaloosa County, Alabama; thence Northwestwardly and along the Southwest line of said lot 21 to the Northwest corner of said lot 21; thence Eastwardly along the North boundary of said Lot 21 to the Northeast corner of said Lot 21; thence Northwardly along the West line of Lot 19 of said Foster Acres to the Northwest corner of said Lot 19; thence continuing Northwardly along the West boundary of Lot 10 of said Foster Acres for a distance of 660 feet, more or less, to a midpoint of the West line of said Lot 10; thence Eastwardly to the mid-point of the East line of Said Lot 10; thence Southwardly for a distance of 660 feet, more or less, to the Southeast corner of said Lot 10; thence Southwardly along the West line of said Lot 19 to a point that is 231 feet, more or less, North of the Southeast corner of said Lot 19; thence Eastwardly to the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 33; thence Eastwardly to the Northeast corner of the Northwest Quarter of the Southwest Quarter of Section 34, Township 20 South, Range 10 West; thence Southwardly to the Southeast corner of the Southwest Quarter of the Southwest Quarter of said Section 34; thence Westwardly to the Southwest corner of said Section 34, which is the point of beginning.

PARCEL 2:

A parcel of land located in the Southwest corner of Section 3, Township 21 South, Range 10 West, being more particularly described as follows:

As a point of beginning start at the Southwest corner of said Section 3; thence Northwardly along the West line of said Section 3 for a distance of 636.3 feet to a point; thence Eastwardly on a bearing of North 88 degrees East to a point on the West boundary of U.S. Highway No. 69; thence Southwardly along the West boundary of said U.S. Highway No. 69 to an intersection with the South boundary of said Section 3; thence Westwardly along the South line of said Section 3 to the point of beginning.

PARCEL 3:

As a point of beginning start at the Southeast corner of Section 10, Township 21 South, Range 10 West; thence Westwardly along the South boundary of said Section 10 to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10, said point being on the existing city limits of the City of Northport, Alabama; thence Northwardly along the West line of said Southeast Quarter of the Southeast Quarter to an intersection with the center of Snow's Mill Creek; thence Northwardly along the meanderings of the center of Snow's Mill Creek to an intersection with the North boundary of the right-of-way of the Watermelon Road; thence Westwardly along the North boundary of said Watermelon Road to an intersection with the East boundary of the Hunter Creek Road; thence Northwardly along the East boundary of said Hunter Creek Road to an intersection with the South boundary of an old road known as the Old Watermelon Road; thence Eastwardly along the South boundary of said Old Watermelon Road to an intersection with the East line of said Section 10; thence Southwardly along the East line of said Section 10 to the point of beginning, less and except 1.67 acres located in the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 10 and owned by the Morgan Turner Estate.

PARCEL 4:

All that part of the West Half of the Northeast Quarter of Section 15, Township 21 South, Range 10 West, that lies East of the Snow's Mill Creek.

Section 2. That all laws and parts of laws in conflict with the provisions of this Act be, and the same are, hereby expressly repealed.

Section 3. That this Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Buford Boone, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Tuscaloosa News, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 8, March 15, March 22, and March 29, all in the year 1963.

BUFORD BOONE.

Sworn to and subscribed before me March 29th, 1963.

LILLA COLLINS,
Title Notary Public.

Also:

By Mr. Allen:

S. 137. Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 119. Local Legislation No. 1.

S. 120. Local Legislation No. 1.

S. 123. Local Legislation No. 1.

S. 137. Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Pierce, Goodwyn, Goldthwaite and Little:

H. R. 64. WHEREAS, other important state officials have parking spaces marked with their names and reserved for their use on or about the grounds of the capitol and other state buildings; and

WHEREAS, the Speaker of the House of Representatives, dedicated, diligent, and devoted public servant that he be, has to date not been granted such recognition and reward of public office as befits his exalted position, with the result that he needs must park his automobile some distance away from and travel by foot to his destination at which place he performs his tasks so assiduously and with such finesse, but sometimes belatedly; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the Members of the House request, authorize, and direct the Superintendent of Grounds to cause to be erected a suitable marker, inscribed with appropriate wording, setting out and reserving a parking space for the personal use of the esteemed Speaker of the House, Mr. Albert Brewer, to the end that he may be enabled to arrive on time for the meetings of this body.

On motion of Mr. Pierce the rules were suspended and H.R. 64 was adopted.

Yeas 60; Nays 3.

Yeas:

Messrs.	Downing	Hogan	Pruitt
Bailes	Drake	Ingram	Rogers
Baker (DeKalb)	Edington	Jones (Covington)	Salter
Barnett	Edwards (Escambia)	Little	Scurlock
Bethea (M)	Edwards (Lowndes)	Locke	Slate
Bolton	Faulk	Martin	Smith
Boston	Gilmore	Mashburn	Stembridge
Bowers	Glass	Meade	Sullivan
Branyon	Goldthwaite	Meeks	Teel
Casey	Goodwyn	Morrow	Turner (Crenshaw)
Cooper	Grouby	Nettles	Turner (Limestone)
Cornett	Hain	Paulk	Turnham
Crawford	Hannah	Pennington	Vacca
Daniel	Harper	Perry	Wood
Doggett	Heflin	Powell	Young
Dominick			

—60

Nays:

Mr. Speaker	Fields	Owens
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Rogers to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 363, was adopted.

PASSAGE OF H. 363

And the bill:

H. 363. (With Amendment). To authorize the investment of funds held by clerks of circuit courts.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Judiciary, said committee amendment being as follows:

Amend H. B. No. 363 as follows:

Amend the caption of said bill by deleting the period after the word "courts" and adding the following words "or registers in chancery".

Amend Section 1 of said bill by adding the words "or register in chancery" following the words "circuit clerk" in line 2.

Further amend Section 1 of H. B. No. 363 by adding the words "or register in chancery" following the word "court" in line 5 of said section.

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Avery	Bailes
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Baker (DeKalb)	Davis	Hogan	Perry
Bevill	Doggett	Ingram	Pierce
Blanton	Dominick	Jones (Covington)	Pruitt
Bolton	Downing	Jones (Monroe)	Rast
Boston	Drake	Little	Rogers
Bowers	Edington	Locke	Scurlock
Branyon	Edwards (Escambia)	McDermott	Sessions
Brown (Jefferson)	Edwards (Lowndes)	Martin	Slate
Brown (Tuscaloosa)	Etheredge	Mashburn	Smith
Burnham	Faulk	Meade	Steagall
Callahan	Fields	Meeks	Stembridge
Camp	Gilmore	Merrill	Sullivan
Campbell (Jackson)	Glass	Moore	Teel
Carr	Goldthwaite	Morrow	Thomas
Cates	Grouby	Nabors	Turner (Crenshaw)
Collins	Hain	NeSmith	Turner (Limestone)
Cook	Hankins	Nettles	Turnham
Cooper	Hannah	Owens	Vacca
Cornett	Harper	Paulk	Wood
Crawford	Heflin	Pennington	Young
Daniel			

—86

And said bill, H. 363, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cooper	Hogan	Pierce
Bailes	Crawford	Ingram	Powell
Baker (DeKalb)	Daniel	Jones (Covington)	Pruitt
Bassett	Davis	Jones (Monroe)	Rast
Bethea (M)	Doggett	Little	Rogers
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McDermott	Sessions
Bolton	Edington	Martin	Slate
Boston	Edwards (Escambia)	Mashburn	Smith
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Faulk	Meeks	Stembridge
Brown (Jefferson)	Fields	Merrill	Sullivan
Brown (Tuscaloosa)	Gilmore	Morrow	Teel
Burnham	Glass	Nabors	Turner (Crenshaw)
Callahan	Goldthwaite	NeSmith	Turner (Limestone)
Camp	Grouby	Nettles	Turnham
Campbell (Jackson)	Hain	Owens	Vacca
Carr	Hankins	Paulk	Wood
Casey	Hannah	Pennington	Young
Cates			

—81

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cook to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 309 and H. 310, was adopted.

PASSAGE OF H. 309

And the bill:

H. 309. To amend further Section 89 and Section 90 of Title 36, Code of Alabama (1940), as amended, which limits the size and weight limits of motor vehicles and loads, and prescribes exemptions therefrom.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 1.

Yeas:

Mr. Speaker	Daniel	Hawkins	Perry
Avery	Davis	Heflin	Pruitt
Bailes	Doggett	Hogan	Rast
Baker (DeKalb)	Downing	Ingram	Rogers
Barnett	Drake	Jones (Monroe)	Salter
Bassett	Edington	Little	Sessions
Bethea (M)	Edwards (Escambia)	Locke	Slate
Blanton	Edwards (Lowndes)	McDermott	Smith
Bolton	Faulk	Mashburn	Steagall
Boston	Fields	Meade	Stembridge
Bowers	Gilmore	Meeks	Sullivan
Brown (Jefferson)	Glass	Morrow	Teel
Camp	Goldthwaite	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Grouby	NeSmith	Turner (Limestone)
Carr	Hain	Nettles	Turnham
Cates	Hankins	Owens	Vacca
Cooper	Hannah	Paulk	Wood
Cornett	Harper	Pennington	Young
Crawford			

—73

Nay:

Mr. Jones (Covington)

—1

PASSAGE OF H. 310

And the bill:

H. 310. To amend further Section 706 of Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of certain motor vehicle license tags.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker	Boston	Casey	Drake
Albea	Bowers	Cates	Edwards (Escambia)
Avery	Brown (Jefferson)	Cooper	Edwards (Lowndes)
Bailes	Burnham	Cornett	Etheredge
Baker (DeKalb)	Callahan	Crawford	Faulk
Bassett	Camp	Daniel	Fields
Bethea (M)	Campbell (Jackson)	Doggett	Gilmore
Bevill	Carr	Downing	Glass

Goldthwaite	Locke	Owens	Steagall
Grouby	McDermott	Paulk	Stembridge
Hankins	Martin	Pennington	Sullivan
Hannah	Mashburn	Perry	Teel
Harper	Meade	Pruitt	Thomas
Hawkins	Meeks	Rast	Turner (Crenshaw)
Heflin	Merrill	Rogers	Turner (Limestone)
Hogan	Morrow	Sessions	Vacca
Ingram	Nabors	Slate	Wood
Jones (Monroe)	NeSmith	Smith	Young
Little	Nettles	Snell	

—75

Nays:

Messrs.	Barnett	Jones (Corington)
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—2

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt for the Executive Department for same.

Delivered to the Governor at 12:15 P.M. On June 18, 1963

H. J. R. 43

H. J. R. 45

H. J. R. 46

H. J. R. 41

H. J. R. 48

H. J. R. 49

H. J. R. 51

H. J. R. 52

H. J. R. 53

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Campbell (Tuscaloosa) the House adjourned until Friday, June 21, 1963, at Ten o'clock A. M.

Yeas 70; Nays 22.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bevill	Branyon
Albea	Barnett	Blanton	Brown (Jefferson)
Avery	Bassett	Bolton	Brown (Tuscaloosa)
Bailes	Bethea (M)	Boston	Burnham

Burns	Edwards (Lowndes)	Ingram	Rast
Callahan	Engel	Jones (Monroe)	Scurlock
Camp	Etheredge	Little	Sessions
Campbell (Jackson)	Faulk	Martin	Slate
Campbell (Tuscaloosa)	Gilmore	Mashburn	Smith
Carr	Glass	Merrill	Steagall
Casey	Grouby	Nabors	Stembridge
Cooper	Hain	NeSmith	Sullivan
Cornett	Hankins	Owens	Teel
Crawford	Hannah	Paulk	Thomas
Davis	Harper	Pennington	Vacca
Downing	Hawkins	Powell	Wood
Drake	Heflin	Pruitt	Young
Edwards (Escambia)	Hogan		

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Nays:

Messrs.	Edington	Moore	Salter
Bowers	Goldthwaite	Morrow	Snell
Cates	Jones (Covington)	Nettles	Turner (Crenshaw)
Daniel	McDermott	Perry	Turner (Limestone)
Doggett	Meade	Pierce	Turnham
Dominick	Meeks	Rogers	

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SIXTEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 21, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. C. H. Hildreth, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Bolton	Campbell (Tuscaloosa)	Davis
Albea	Boston	Cantrell	Doggett
Avery	Bowers	Carr	Dominick
Bailes	Branyon	Casey	Downing
Baker (DeKalb)	Brown (Jefferson)	Cates	Drake
Baker (Madison)	Brown (Tuscaloosa)	Collins	Edington
Barnett	Burnham	Cook	Edwards (Escambia)
Bassett	Burns	Cooper	Edwards (Lowndes)
Bethea (M)	Callahan	Cornett	Engel
Bevill	Camp	Crawford	Etheredge
Blanton	Campbell (Jackson)	Daniel	Faulk

Fields	Ingram	NeSmith	Sessions
Fite	Jones (Covington)	Nettles	Slate
Gilmore	Jones (Monroe)	Owens	Smith
Glass	Little	Paulk	Snell
Goldthwaite	Locke	Pennington	Steagall
Goodwyn	McCorquodale	Perry	Stembridge
Grouby	McDermott	Pierce	Sullivan
Hain	Martin	Posey	Teel
Hankins	Mashburn	Powell	Thomas
Hannah	Meade	Pruitt	Turner (Crenshaw)
Harper	Meeks	Rast	Turner (Limestone)
Hawkins	Merrill	Reynolds	Turnham
Heflin	Moore	Rogers	Vacca
Hester	Morrow	Salter	Wood
Hogan	Nabors	Scurlock	Young
Holladay			

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Bethea (M) leave of absence was granted to Mr. Bethea (B) because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifteenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the fifteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifteenth legislative day was approved.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 508. To provide a confidential stenographic secretary for the Director of the Department of Finance and the Director of the State Highway Department.

H. 433. To amend Section 154, Title 41, Code of Alabama 1940, as last amended.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 471. (With Amendment). Providing special educational benefits for the legal children of Thomas Willard Ray, Leo F. Baker, Riley W. Shamburger, and Wade Carroll Gray, four citizens of the State of Alabama who were killed at the Bay of Pigs, Cuba.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 464. To amend Act No. 47, H. 92, Special Session 1961 (Acts 1961, v. 2, p. 1904), which grants certain exemptions from state, county, and municipal taxation.

H. 465. Relating to state revenue; further prescribing deductions of certain charitable contributions or gifts in computing individual and corporate state income tax liability.

H. 514. To amend further Section 710 of Title 51, Code of Alabama (1940), as amended, which relates to the date motor vehicle licenses become due and payable.

H. 401. Relating to taxation: To exempt certain ingredients used in mixing and preparing feeds for livestock and poultry from the State Sales and Use Taxes.

H. 417. To amend Act No. 100, H. 94, Second Special Session 1959, entitled "An Act To raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," so as to provide an exemption from such taxes on sales of fuel and supplies for use or consumption on certain ships and towing vessels.

H. 108. To amend further Section 2 of Title 51, Code of Alabama 1940, in relation to the amount of property of blind persons exempted from ad valorem taxation.

H. 109. To amend Section 832 of Title 51, Code of Alabama 1940, in relation to the amount of exemption for blind persons from state, county, or municipal privilege licenses.

H. 474. To authorize and regulate the investment of funds deposited with the register of the circuit court in pending cases.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 402. (With Substitute). To make an appropriation for the relief of Mrs. Robert W. Fobes.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 193. To make an appropriation to the use of the Alabama Public Service Commission.

H. 194. To make an appropriation to the use of the Alabama Liquified Petroleum Gas Commission.

H. 270. To better provide for the public health by providing for the regulation and approval of schools of nursing, for the examination, regulation and licensing of professional and practical nurses; to create and define the duties and powers of the Board of Nursing, the Advisory Council for Practical Nurses and the Advisory Committee to the Board of Nursing; to provide for the appointment and prescribe the terms of office, duties and compensation of members of such Board, Council and Committee; to provide for disciplining licensees and for appeals from decisions of the Board; to prescribe penalties for violation of the provisions of this Act; and to make appropriation for the purpose of carrying out this Act.

H. 341. To regulate the erection and maintenance of advertising devices within a specified distance of the rights of way of certain highways within this State; prohibiting the erection or maintenance of any advertising device within such distance of the rights of way of these highways unless a permit therefor has been obtained from the state highway director; authorizing the highway director to issue permits for the erection of advertising devices, conforming to rules and regulations prescribed therefor, within this specified distance adjacent to the rights of way of such highways upon payment of the permit fees prescribed by this Act; authorizing and directing the highway director to adopt regulations to govern the issuance of such permits, to prescribe regulations relative to the size and kinds of advertising devices which may be erected and maintained under such permits, to designate the sections or portions of highways along which such advertising devices may or may not be erected and maintained, and by regulation to exclude certain advertising devices from the coverage of this Act; and authorizing the removal of any advertising device erected or maintained in violation of this Act or any regulation duly adopted hereunder.

H. 523. To make appropriations for operation, support and maintenance of the University of South Alabama.

H. 483. To amend Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for-hire.

H. 496. Relating to supernumerary court reporters; amending Act No. 817, H. 298, Regular Session 1961, in relation to eligibility for such appointments, providing that an official reporter of the Alabama Public Service Commission may become a supernumerary reporter.

H. 494. Relating to contractors bidding on highway work submitting a check or bid bond with their bid as a proposal guaranty.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 379. (With Substitute). To amend Code of Alabama 1940, Title 52, Section 567, which relates to the time when title to sixteenth section lands may be acquired by adverse possession.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 419. (With Amendments). To amend Act No. 422, H. 325, Regu-

lar Session 1951, which is known as "The Alabama Real Estate License Law of 1951", and Act No. 513, Regular Session 1953.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 420. To amend Section 501 of Title 51 of the Code of Alabama (1940) which provides for licenses for credit reporting companies.

H. 440. To exempt licensed practitioners of any of the healing arts or any branch thereof from liability for civil damages resulting from any acts or omissions of such licensees in rendering emergency care at the scene of the emergency.

H. 442. To dispense with a Jury verdict in all Criminal Cases where the defendant has been indicted by a Grand Jury and provide for the Court to fix the punishment in such cases where defendants, after having had the advice of counsel, plead guilty in open Court to the commission of an offense embraced in the Indictment.

H. 458. Relating to motor vehicles; to provide for the use of two license tags or plates on each vehicle; amending Code of Alabama 1940, Title 36, Section 75, as amended, and Title 51, Section 705, as amended.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 520. To amend Act No. 812, H. 43, Regular Session 1961 (Acts 1961, v. 2, p. 1188) which provides for a scholarship program for education in the field of library science, and authorizes the use of funds available to the Alabama Public Library Service.

H. 492. Relating to teacher tenure; amending Code of Alabama 1940, Title 52, Section 353, which relates to the contract of employment of any teacher who has attained continuing service status.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 472. (With Amendment). To provide further for the employment of a full-time County Engineer; to provide for the compensation of such office; to prescribe qualifications of such office; to prescribe his duties and authority; to provide for the State Highway Department to supplement the salary of the office; to provide for the retirement of the County Engineer to the extent of the State's participation in the salary.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 535. To amend Act No. 763, H. 514, Regular Session 1953 (Acts 1953, v. 2, p. 1025) which permits payroll deductions from salaries or wages of public employees, so as to prohibit certain deductions.

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and

ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 473. (With Substitute). To amend Section 3, of Act 515, approved July 9, 1945, as amended, to provide for the inclusion of County Engineers in the membership of the Employees' Retirement System of Alabama.

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 531. To exempt certain disabled veterans of the armed forces of the United States from the requirement of procuring licenses to fish in certain ways or manners in the waters of this state; to provide for the issuance of exempted fishing licenses to such veterans.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 502. To provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof.

H. 507. Relating to Calhoun County; to provide for separation of the offices of clerk of the circuit court and register in chancery which were consolidated by an act approved September 19, 1949; placing these officers on a salary basis, and providing for the operation of such offices on such basis; repealing conflicting laws.

H. 509. Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

H. 510. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body."

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 512. (With Amendment). To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Elmore County.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 513. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said City: and to prescribe the powers, duties and authority of the

Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method of procedure for collecting such taxes and remitting the proceeds thereof.

H. 515. To alter, rearrange and extend the boundary lines and incorporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

H. 528. To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

H. 529. Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

H. 533. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

H. 536. Relating to counties having populations of not less than 17,400 nor more than 17,800; fixing the compensation of election officers in such counties.

H. 543. To Amend Further an Act Approved November 4, 1950, Entitled "An Act to Create a Board of Revenue for Jackson County; Providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, P. 126) so as to Duly Authorize the Board of Revenue to Employ Clerical Help.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 463. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

H. 487. Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

H. 488. Relating to the court fees and costs of the Jefferson County Civil Court.

H. 517. To Amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 18. Recognizing the contributions made by Dr. Lee Bidgood as a teacher, and extending sympathy to the family.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. J. R. 54. Relative to four Alabama citizens who lost their lives at the Bay of Pigs in Cuba.

Also:

H. J. R. 56. Relative to commending the employees of the Gadsden Plant of the Goodyear Tire and Rubber Company.

Also:

H. J. R. 57. Relative to mourning the death of Mr. Ralph A. Clark of Covington County.

Also:

H. J. R. 58. Relative to designating the Rehabilitation Center Building in the University of Alabama Medical Center in Birmingham "The Spain Rehabilitation Center".

Also:

H. J. R. 59. Relative to designating the Social Science Building on the University of Alabama campus "Marten ten Hoor Hall".

Also:

H. J. R. 60. Relative to designating the new women's residence hall at the University of Alabama "Martha Parham Hall".

Also:

H. 5. For the relief of Mrs. Robbie C. Langford; to authorize and direct the governing body of Autauga County to pay to Mrs. Langford the sum of four hundred seventy dollars (\$470) to compensate her for expenses of medical examinations and certain property damage.

Also:

H. 29. To prescribe qualifications for the office of coroner of Escambia County.

Also:

H. 30. To provide for branch banking in Escambia County.

Also:

H. 31. Relating to counties having populations of not less than 76,000 nor more than 115,000, providing for meetings of the board of registrars in such counties.

Also:

H. 59. To provide for the abolishment of the Office of County Engineer for Marion County, Alabama; to provide for the creation of a Division of Public Roads of Marion County; to prescribe the duties of said division; to provide for the appointment of a Chief Engineer to head said division; to prescribe his term of office; to prescribe his qualifications and salary.

Also:

H. 62. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by any city or town in Marion County.

Also:

H. 63. Relating to eminent domain proceedings when Marion County is a party; providing for appointment of members of the board of equalization as commissioners to assess damages.

Also:

H. 65. To provide for and require reidentification of the registered electors of Marshall County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Also:

H. 111. To provide an additional method for mortgaging poultry and other personal property used for the production, processing and marketing of poultry and poultry products by providing that the mortgagor may retain possession of such mortgaged property and dispose of same in the usual course of business under certain conditions and with the consent of the mortgagee; and to further provide and authorize the mortgaging of after acquired poultry and other personal property used in producing, processing and marketing poultry and poultry products.

Also:

H. 114. Relating to counties having populations of not less than 15,300 nor more than 15,400; authorizing payment from county school funds of an expense allowance to the county superintendent of education.

Also:

H. 115. To provide an allowance for clerk hire for the probate judge of all counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 116. Relating to counties having populations of not less than 15,300 nor more than 15,400; prescribing the amount of official bond required of the tax collector of the county.

Also:

H. 117. To provide an allowance for clerk hire for the circuit court clerk of all counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 129. To repeal Act No. 269, H. 256, Regular Session 1961 (Acts 1961, p. 289), an act which authorizes the levy of sales and use taxes in Choctaw County.

Also:

H. 138. To provide for the compensation and travel expenses of the county superintendent of education in counties having a population of not less than 14,875 nor more than 15,200 inhabitants, according to the 1960 or any subsequent federal decennial census.

Also:

H. 146. To define, regulate and license barbers and barber colleges, and other like businesses in Etowah County; to create a barbers' commission for said county; to fix the powers and duties of said commission; and to provide a penalty for the violation of the provisions hereof.

Also:

H. 147. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Etowah County.

Also:

H. 172. To authorize and provide for the collecting of a twenty-five cent application or issuance fee to be charged by Judges of Probate, License Commissioners, Directors of the County Departments of Revenue, or other like public officer performing like duties relating to the application or issuance of motor vehicle licenses, drivers licenses or permits, marriage licenses, and transfers of motor vehicle licenses in all counties of 600,000 population or more in the last or any succeeding federal census, and provided further, however, that no affidavit fee of twenty-five cents presently prescribed by law in said counties shall be collected for affidavits taken or required in the course of the application or issuance of licenses or transfers.

Also:

H. 215. To authorize the governing body of Washington County, Alabama to pay the sum of Three Hundred, Sixty-two and 79/100 Dollars (\$362.79) out of the gasoline tax fund, road and bridge fund, or any other fund in the county treasury not otherwise appropriated to reimburse Ben S. Mandeville for property damages incurred by him as a result of a motor vehicle accident between a truck of Washington County, Alabama, and an automobile owned by Ben S. Mandeville in which the driver of the county truck was negligent.

Also:

H. 216. To authorize municipal industrial development boards organized under Act No. 648 enacted at the 1949 Regular Session of the Legislature of Alabama, as amended, to make temporary loans and in evidence thereof to issue revenue bonds or notes maturing not later than eighteen months from date of issue, to provide that such temporary loans may be made in anticipation of the sale and issuance of long-term revenue bonds and, under certain conditions, simultaneously with and after the issuance of long-term revenue bonds, and to provide for payment of such temporary loans from the proceeds of such long-term revenue bonds.

Also:

H. 233. To create and establish in Etowah County an inferior court, known as and called the Etowah County Court; to define its jurisdiction and powers; to provide for a judge and other officers of the court, and prescribe their powers, duties, tenure and compensation; to prescribe rules of procedure for the court; to provide for the execution of the process of the court and the operation thereof; and to authorize and provide for the transfer of cases and causes from other courts to the court hereby created.

Also:

H. 234. To abolish the county court of Etowah County, Alabama; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 578, H. 1007 of the Regular Session of 1947 (Local Acts of Alabama 1947, p. 390).

Also:

H. 238. To repeal Act No. 193 approved August 7, 1927, (Acts of Alabama 1927) beginning at page 193, said Act No. 193 being entitled "An Act. To create a fund to be used by the Sheriff of each County in the State of Alabama having a population of 200,000 or more, according to the last or any subsequent Federal census, for the purpose of defraying the expenses of sending for, returning and transporting prisoners and fugitives from justice, and to provide for the expenditure and replenishing of said fund."

Also:

H. 245. To amend further Section 3 of Act No. 355, H. 757, approved August 17, 1953 (Acts 1953, p. 423), an act fixing the compensation of the sheriff of Limestone County and providing for the appointment of deputies and assistants, in relation to the number of deputies and jailers to be appointed by the sheriff.

Also:

H. 144. Proposing an amendment to the Constitution of Alabama relating to the compensation of certain officers of Escambia County.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Doggett (With Notice and Proof):

H. 547. To provide for the compensation of jurors in Choctaw County.

Local Legislation No. 1.

Notice and Proof H. 547:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the compensation of jurors in Choctaw County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Regular jurors, grand and petit, serving in Choctaw County, are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or up its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 7, all in the year 1963.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1963.

JANICE W. BLOUNT,
Title Notary Public.

By Mr. Doggett (With Notice and Proof):

H. 548. To regulate further the compensation and allowances of election officers in Choctaw County.

Local Legislation No. 1.

Notice and Proof H. 548:

NOTICE

STATE OF ALABAMA
COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation and allowance of election officers in Choctaw County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In Choctaw County the officers appointed to hold an election shall each be entitled to ten dollars a day; and the returning officer, in addition, shall be entitled to five cents a mile in going to the courthouse and returning to the place of holding the election. The several claims shall be paid as preferred claims out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. All laws or parts of laws which conflict with this Act, are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of the The Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 7, all in the year 1963.

M. HOLLIS CURL.

Sworn to and subscribed before me June 12, 1963.

JANICE W. BLOUNT,
Title Notary Public.

By Mr. Turner (Crenshaw):

H. 549. To amend Code of Alabama 1940, Title 46, Section 24, as amended; to provide further for a secretary of the State Bar and Board of Commissioners of the State Bar; to prescribe his duties and to provide for his compensation.

Ways and Means.

By Mr. Turner (Crenshaw) (With Notice and Proof):

H. 550. To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

Local Legislation No. 1.

Notice and Proof H. 550:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 3 of Act No. 132, H. 138, Second Special Session

1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County, is hereby amended to read as follows:

"Section 3. At the general election in 1964, and every six years thereafter, a judge of the court shall be elected for a term of six years beginning on the first Monday after the second Tuesday in January next following his election. The judge of this court shall before entering upon the duties of the office take the oath prescribed by law to be taken by judges of the circuit courts in Alabama. The judge of the court shall be a qualified elector of the county, not less than twenty-five years of age, and shall be learned in the law, and licensed to practice law in this state. The judge shall not practice as an attorney in any case or matter pending or tried in his court or in any criminal case in any court of this state or of the United States, but he shall not be disqualified from practicing law in any other cases, matters, and courts. He may be removed from office in the manner and for the causes now provided by law for the removal of circuit judges."

Section 2. Section 4 of said Act No. 132, Second Special Session 1959, as amended, is hereby amended further to read as follows:

"Section 4. (a) The clerk of the circuit court of the county shall be by virtue of his office clerk of the Law and Equity Court of Crenshaw County hereby established, and shall have the same powers and discharge the same duties as clerks of the circuit courts. He shall be subject to the same pains and penalties with regard to the duties of the office and shall be entitled to the same fees, commissions and emoluments as are now or as may hereafter be allowed to circuit clerks of Alabama, which shall be collected as such fees and commissions are collected in the circuit courts, except (1) in violations of traffic laws and rules of the road under the provisions of Code of Alabama 1940, Title 36, and amendments and additions thereto, the fees and commissions shall be the same as allowed by general law to a justice of peace trying such a case, and (2) in all other criminal cases heretofore triable before the county court, and justices of the peace courts, the clerk shall receive the same fees and commissions as clerks of the county courts.

"(b) A docketing fee of five dollars (\$5.00) shall be imposed in each case involving a violation of traffic laws or rules of the road docketed in the Law and Equity Court of Crenshaw County. Such docketing fees shall be collected in the same manner as other costs, and when collected shall be paid by the clerk of the court into the general fund of the county.

"(c) The clerk shall have the power to appoint a deputy clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. The clerk shall have power and authority:

(1) To administer oaths and take acknowledgments and affidavits; (2) To sign and issue all processes issuing out of the court including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; (3) To approve bonds in civil and criminal cases; (4) To enter all judgments, orders and decrees of the court; (5) To certify all appeals and transcripts; (6) To exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts."

Section 3. Section 5 of said Act No. 132, Second Special Session 1959, is hereby amended to read as follows:

"Section 5. The judge of the Law and Equity Court of Crenshaw County shall receive a salary of five thousand two hundred dollars (\$5,200)

per annum, payable in equal monthly installments out of the county treasury."

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law. However, the provision relative to the compensation shall not become operative until the expiration of the term of office of the incumbent in the office of judge of the Law and Equity Court of Crenshaw County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1963.

MARY F. REEDER.

Sworn to and subscribed before me June 19, 1963.

VONCILE R. NICHOLS,
Title Notary Public.

By Mr. Turner (Crenshaw) (With Notice and Proof):

H. 551. To regulate further teacher tenure and status in the public schools of Crenshaw County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the county, and repealing as to Crenshaw County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Local Legislation No. 1.

Notice and Proof H. 551:

LEGAL NOTICE

STATE OF ALABAMA CRENSHAW COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further teacher tenure and status in the public schools of Crenshaw County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the county, and repealing as to Crenshaw County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Crenshaw County is vested with plenary and exclusive power to employ, dismiss, discharge, remove or transfer principals, supervisors and teachers, and to regulate their tenure and status as it considers necessary or desirable to promote the best interest of the schools under its jurisdiction, the provisions of any general law on the subject to the contrary notwithstanding.

Section 2. The provisions of Chapter 13, Title 52, Code of Alabama 1940, as amended or supplemented, which are in conflict or inconsistent with this Act are, as to Crenshaw County, hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1963.

MARY F. REEDER.

Sworn to and subscribed before me June 19, 1963.

VONCILE R. NICHOLS,
Title Notary Public.

By Mr. Turner (Crenshaw) (With Notice and Proof):

H. 552. Relating to the superintendent of education of Crenshaw County; providing for his appointment, qualifications, compensation and allowances; repealing Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), and all other conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 552:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF CRENSHAW

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to the superintendent of education of Crenshaw County; providing for his appointment, qualifications, compensation and allowances; repealing Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), and all other conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Crenshaw County shall appoint the county superintendent of education, who shall serve for a term as such board may prescribe. The county board of education may remove the superintendent of education at any time for immorality, misconduct in office, incompetency, wilful neglect of duty, or when the best interests of the schools require it.

Section 2. The county superintendent of education shall be the chief executive officer of the county school system and shall perform and discharge all the duties of county superintendents of education as now or hereafter required or provided by the general law of the state.

Section 3. The county superintendent of education shall be a person of good moral character and of recognized ability as an administrator, having an academic education equivalent to graduation from a standard university or college. Such qualifications as prescribed by this section shall be in lieu of any qualifications prescribed by the general law for county superintendents of education.

Section 4. The superintendent of education shall devote his entire time to the duties of his office and shall receive a salary of not more than eight thousand dollars (\$8,000) per annum, payable in equal monthly installments. Such superintendents shall also receive an allowance not to exceed six hundred dollars (\$600) per annum as reimbursement for travel expenses incurred in the performance of his duties. The exact amount of such salary and expense allowance shall be fixed by the board of education, and shall be paid out of the public school funds of the county.

Section 5. Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21) and all other laws or parts of laws in conflict herewith are hereby repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall take effect at the expiration of the term of the incumbent superintendent of education of Crenshaw County.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CRENSHAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary F. Reeder, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Editor of the Luverne Journal, a newspaper of general circulation published in Crenshaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 29, June 5, June 12, and June 19, all in the year 1963.

MARY F. REEDER.

Sworn to and subscribed before me June 19, 1963.

VONCILE R. NICHOLS,
Title Notary Public.

By Mr. Turner (Crenshaw) (With Notice and Proof):

H. 553. Relating to Crenshaw County; amending further Act No. 502, H. 916, Regular Session 1947, (Local Acts 1947, p. 340) an act providing for the compensation of members of the court of county commissioners.

Local Legislation No. 1.

Notice and Proof H. 553:

LEGAL NOTICE

STATE OF ALABAMA
CRENSHAW COUNTY

Notice is hereby given in accordance with the Constitution that application will be made for enactment of a local law in substance as follows:

To amend further Section 1 of Act No. 509, H. 916, Regular Session 1947 (Local Acts 1947, p. 340) which provides for the compensation of the members of the court of county commissioners of Crenshaw County by decreasing the expense allowance of said members and increasing their compensation.

AFFIDAVIT

PROOF OF PUBLICATION

STATE OF ALABAMA
CRENSHAW COUNTY

Before the undersigned Notary Public personally came Mary F. Reeder, who being duly sworn says upon oath that she is Publisher of a newspaper published at Luverne, Crenshaw County, Alabama, known as The Luverne Journal, and that the notice of publication, a true copy of which is hereto annexed, and being entitled: LEGAL NOTICE STATE OF ALABAMA, CRENSHAW COUNTY Notice is hereby given in accordance with the Constitution that application will be made. . . was published in said newspaper, once a week for 4 consecutive weeks, to-wit in the issues of said

newspaper dated: May 29, 1963; June 5, 1963; June 12, 1963; June 19, 1963.

MARY F. REEDER.

Sworn and subscribed to before me this 19 day of June 1963.

VONCILE R. NICHOLS,
Title Notary Public.
My Commission expires 3-8-65.

By Mr. Burns:

H. 554. Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of compensation of constables serving the county court in such counties.

Local Legislation No. 1.

By Mr. Branyon:

H. 555. Relating to counties having populations of not less than 15,500 nor more than 16,300; vesting in the probate courts of such counties the civil jurisdiction of justice of the peace courts.

Local Legislation No. 1.

By Messrs. Branyon, Snell, Cantrell, Gilmore, Turner (Crenshaw), and Hankins:

H. 556. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for members of the militia payable for injury, disability or death as a direct result of active military service.

Military Affairs.

By Messrs. Martin, Nettles, Avery, Jones (Monroe) and Branyon:

H. 557. To amend Sections 4 and 5 of Act No. 202, S. 27, Regular Session 1953, an act creating the board of corrections of Alabama (Acts 1953, v. 1, p. 267).

Ways and Means.

By Mr. Crawford:

H. 558. To provide for the compensation of county or deputy solicitors in counties having populations of not less than 15,000 nor more than 15,300.

Local Legislation No. 1.

By Messrs. Brown (Jefferson), Morrow, Perry, Meeks, Vacca, Dominick, Rast, Bowers, Hawkins, Gilmore, Bethea (M) and Sessions (With Notice and Proof):

H. 559. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

Local Legislation No. 2.

Notice and Proof H. 559:

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama:

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Bessemer, in Jefferson County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

Begin at the Northeast corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$ Section 17, Township 19 South, Range 4 West; thence run West along North line of said quarter-section a distance of 8788 feet; thence turn left an angle of 90° 00', a distance of 118.53 feet; turn right an angle of 34° 54' a distance of 436.7 feet; turn right an angle of 55° 06' and run West a distance of 885.30 feet for point of beginning; thence continue said course a distance of 782.06 feet; turn left an angle of 91° 57', a distance of 491.43 feet; turn left an angle of 87° 47' a distance of 782.06 feet; turn left an angle of 92° 13' a distance of 495.07 feet to point of beginning; being in S $\frac{1}{2}$ of S $\frac{1}{2}$ of Section 17, Township 19 South, Range 4 West, in Jefferson County, Alabama.

Section 2. That this Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned Notary Public in and for the State and County aforesaid, personally appeared: B. M. McElroy Who being duly sworn, says on oath that he is: EDITOR - PUBLISHER of The Bessemer Advertiser, a newspaper published in the City of Bessemer, Jefferson County, Alabama, and that a legal notice was published for four weeks, consecutively, in said newspaper, a copy of which notice is hereto attached and made a part of this affidavit, and that the dates on which same was published were: Dec. 21-28-1962 & Jan 4-11-1963 and that the amount indicated hereon is a true and correct statement of the charges for publishing said notice. Affiant further states that said newspaper is a newspaper having a general circulation in the county in which it is published, and that it has been mailed under second class mailing privilege for fifty-two (52) consecutive weeks prior to the publication of the foregoing advertisement.

B. M. McELROY,
Editor-Publisher.

Subscribed and sworn to before me this the 6 day of June 1963.

W. E. MILLER,
Notary Public.

By Messrs. Morrow, Perry, Meeks, Vacca, Dominick, Rast, Bowers, Hawkins, Locke, Gilmore, Bethea (M), Brown (Jefferson) and Sessions (With Notice and Proof):

H. 560. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and all certain other territory in Jefferson County, Alabama, contiguous to said city.

Local Legislation No. 2.

Notice and Proof H. 560:

NOTICE

Notice is hereby given of intention to apply at the present special session or any future special or regular session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from details, of the following:

A BILL TO BE ENTITLED AN ACT

To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That, from and after the passage and approval of this act, the boundary lines of the City of Birmingham, Jefferson County, Alabama, be and the same are altered and re-arranged, so as to include within the corporate limits of said city of Birmingham, Jefferson County, Alabama, in addition to the territory included within its present corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said city, more particularly described as follows:

The East one-half ($E\frac{1}{2}$) of the Northeast quarter ($NE\frac{1}{4}$) of the Southeast quarter ($SE\frac{1}{2}$) of Section 31, Township 16, South, Range 1 West.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler, who, being by me first duly

sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 27; May 4, 11, 18, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 20th day of May, 1963.

ANGIE CAMPISI,
Notary Public.

By Messrs. Bethea (M), Sullivan, Jones (Covington), Fite, Avery, Nettles, Daniel, Wood, Bassett, Glass, Paulk and Slate:

H. 561. To amend Section 12 of Title 29, Code of Alabama 1940, which prohibits advertising of alcoholic beverages.

Ways and Means.

By Mr. Moore:

H. 562. To outlaw installation and use of certain coin-operated music machines and places where intoxicating liquors are sold for consumption on the premises.

Business and Labor.

By Mr. Turnham:

H. 563. To amend further Code of Alabama 1940, Title 41, Section 154, which relates to the limitation of per diem expenses provided state employees.

Ways and Means.

By Messrs. Turnham, Crawford, Paulk, Jones (Covington), Salter, Edwards (Lowndes), Bassett, Wood, Glass, Mashburn, Faulk, Turner (Crenshaw), Cook, Drake, Steagall and Hester:

H. 564. To make an appropriation from the general fund in the state treasury to the use of the board of trustees of Auburn University for certain capital outlay purposes.

Ways and Means.

By Messrs. Salter, Sullivan, Baker (DeKalb), Snell, Carr, Callahan, Paulk, and Young:

H. 565. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of tobacco and tobacco products within this state; providing for the collection and enforcement of such taxes; and appropriating the proceeds thereof to the State Department of Mental Health.

Ways and Means.

By Mr. Daniel:

H. 566. Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties.

Local Legislation No. 1.

By Mr. Fite:

H. 567. Proposing a constitutional amendment relating to Marion County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite:

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Ways and Means.

By Mr. Fite:

H. 569. To authorize the Governor of Alabama, the Highway Director and the Director of Finance to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds; and shall not create an obligation or debt of the state; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

Ways and Means.

By Mr. Fite:

H. 570. To better secure proper identification of taxpayers by requiring information to be furnished the department of revenue as to the social security account number and federal employer's identification number pertaining to said taxpayers.

Ways and Means.

By Mr. Fite:

H. 571. To further amend Section 412, Title 51, Code of Alabama 1940, to provide that notice of the amount of the deficiency of income taxes declared to be due under this title shall be given by the department

of revenue to the taxpayer within three years after the return was filed; and to require taxpayers to report all changes or corrections in federal taxable income within ninety days after the final determination of such change to the state department of revenue.

Ways and Means.

By Mr. Fite:

H. 572. To amend Section 11, Act No. 289, H. 273, approved August 26, 1955, General Acts of Alabama 1955, page 661, by providing a criminal penalty for violation of this Act.

Ways and Means.

By Mr. Fite:

H. 573. To authorize the State Department of Revenue to insure certain of its employees against personal injury or death caused by accident or violence while discharging their duties as such employees; to provide for the payment of the cost of such insurance.

Ways and Means.

By Mr. Fite:

H. 574. To amend Section 787, Title 51, Code of Alabama, 1940, as amended, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or reconditioning tangible personal property for sale.

Ways and Means.

By Mr. Fite:

H. 575. To amend Section 1, Act No. 100, Second Special Session 1959, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or reconditioning tangible personal property for sale.

Ways and Means.

By Mr. Fite:

H. 576. To provide for a uniform sales and use tax law for the benefit of the counties and municipalities of the state; providing for administration by the department of revenue; making such taxes optional; providing for elections; providing for substitution of the uniform taxes for existing local taxes; repealing existing local taxes administered by the department of revenue; providing for an exception where existing taxes at higher than uniform rate are pledged; providing for compensation to be paid to the department of revenue for its services; providing for distribution of the funds collected.

Ways and Means.

By Messrs. Rogers, Goodwyn, Wood, Nabors, Brown (Jefferson), Perry, Smith, Engel, Mashburn, Nettles, Fite, Turner (Crenshaw), Faulk, Hoggan, McDermott, Jones (Monroe), Turner (Limestone), Etheredge, Hester, Merrill, Grouby, Gilmore, Cornett, Morrow, Drake, Moore, Goldthwaite, Brewer, Sessions, Bailes, Sullivan, Daniel, Fields, Edington, Downing, Little, Pierce, Carr and Collins:

H. 577. To fix the compensation of the director of the Legislative Reference Service; repealing conflicting laws.

Ways and Means.

By Messrs. McDermott, Hogan, Rogers and Engel:

H. 578. To repeal Act No. 39, H. 67, Special Session, 1962 (Acts 1962, p. 50) entitled "An Act relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city."

Local Legislation No. 3.

By Messrs. Engel, McDermott, Hogan and Edington:

H. 579. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Local Legislation No. 3.

By Messrs. Goodwyn and Pierce:

H. 580. To fix the compensation of the judge of probate of all counties having a population of not less than 160,000 nor more than 300,000, according to the last or any subsequent federal decennial census, and to regulate the payment of same, and to require the judge of probate to pay into the County Treasury of said county all costs and charges of Court, Fees and Commission authorized by law to be collected by said judge of probate as other moneys belonging to said county are paid.

Local Legislation No. 1.

By Mr. Goodwyn:

H. 581. To provide Supernumerary Circuit Solicitors of the State; to provide the conditions under which a Solicitor of the Circuit Court may become a Supernumerary Circuit Solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation and the method of removal from office of such Supernumerary Circuit Solicitor and to appropriate funds for the payment of such compensation.

Judiciary.

By Mr. Goodwyn:

H. 582. To provide for the punishment of an Attempt to Commit Burglary in the First Degree, Burglary in the Second Degree, Burglary in a Railroad Car and Burglary of a Motor Vehicle.

Judiciary.

By Mr. Goodwyn:

H. 583. To create a solicitor's fund in each judicial circuit of Alabama where there does not now exist such fund; to provide for the appropriation of moneys to said fund from solicitors' fees taxed and collected in all criminal cases in all circuit courts in such judicial circuits; and to authorize expenditures of said fund by the circuit solicitor for law enforcement and discharge of the duties of his office.

Judiciary.

By Mr. Goodwyn:

H. 584. To amend Section 124 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 585. To amend Section 395 of Title 14 of the Code of Alabama of 1940.

Judiciary.

By Mr. Goodwyn:

H. 586. To amend Section 415 of Title 14 of the Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 587. To amend Section 240 of Title 13 of the Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 588. To amend Section 33 of Title 14 of the Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 589. To amend Section 85 of Title 14, Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 590. To amend Section 331 of Title 14 of the Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 591. To amend Section 334 of Title 14 of the Code of Alabama 1940.

Judiciary.

By Mr. Goodwyn:

H. 592. To amend Section 70 of Title 30, Code of Alabama 1940.

Judiciary.

By Mr. Goldthwaite:

H. 593. Relating to insurance and to the insurance business, to regulate the capital and surplus requirements of domestic, foreign or alien insurance companies, to provide for deposits with the State Treasurer by domestic mutual insurers, and to prescribe the conditions on which persons, firms, corporations and associations may engage or continue to engage in the insurance business of this state.

Insurance.

By Mr. Barnett (With Notice and Proof):

H. 594. Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 594:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The tax assessor and the tax collector of Perry County may each appoint a clerk to assist him in the performance of the duties of his office. Each clerk so appointed shall be entitled to receive a salary of \$50. a month payable from the general funds of the county. The clerk of the assessor and collector shall be employed and paid for the full twelve months of each calendar year.

Section 2. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was pub-

lished in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

J. M. WALLACE,
Editor.

Sworn to and subscribed before me June 20, 1963.

ELIZABETH F. STEWART,
Title Notary Public, Perry Co. Ala.

By Mr. Sullivan:

H. 595. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of expense allowances to members of the county governing body.

Local Legislation No. 1.

By Mr. Sullivan:

H. 596. To authorize and direct the county board of education in all counties having populations of not less than 21,850 nor more than 21,950, according to the most recent federal decennial census, to fix the salary and expense allowance of the county superintendent of education at amounts not less than the salaries and expenses paid to certain other employees of the board.

Local Legislation No. 1.

By Mr. Campbell (Tuscaloosa):

H. 597. To amend Code of Alabama 1940, Title 36, Section 2, as amended, which relates to penalties for operation of motor vehicles upon the highways by persons who are habitual users of narcotic drugs or who are intoxicated.

Judiciary.

By Mr. Brown (Tuscaloosa):

H. 598. To amend Code of Alabama 1940, Title 51, Section 565, which relates to the license payable by osteopaths and chiropractors.

Health.

By Messrs. Callahan, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 599. To amend Section 186, Subsection E (12) of Title 26 of the Code of Alabama of 1940 as last amended so as to exempt from the operation under said code section the proprietors or operators of barber shops and their employees.

Judiciary.

By Mr. Wood:

H. 600. To repeal Act No. 47, H. 70, Second Special Session 1963, relating to counties having populations of not less than 15,300 nor more than 15,400.

Local Legislation No. 1.

By Mr. Wood:

H. 601. To provide an expense allowance for members of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 15,300 nor more than 15,400, according to the last or any subsequent federal decennial census; giving the Act limited retroactive effect.

Local Legislation No. 1.

By Mr. Thomas:

H. 602. To authorize the governing body of any county to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize counties to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize counties to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by counties under the authority of this act; to provide for penalties for violations thereof; and to provide for counties and municipalities to join with other counties or municipalities to create a joint planning commission.

Local Government.

By Messrs. Nabors, Owens and Burns:

H. 603. Relating to cities having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census, providing an expense allowance for the mayor and city commissioners of such cities.

Local Legislation No. 1.

By Mr. Mashburn (With Notice and Proof):

H. 604. To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 604:

LEGAL NOTICE

STATE OF ALABAMA BALDWIN COUNTY

Notice is hereby given that application will be made to the Legislature of Alabama for the enactment of a local law, the substance of which is as follows:

A BILL
TO BE ENTITLED
AN ACT

To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Ala.

Be It enacted by the Legislature of Alabama:

Section 1. That the boundary lines of the City of Bay Minette, Baldwin County, Alabama, be and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Bay Minette, Alabama and in addition thereto the following described territory, to-wit:

Begin at the Southeast corner of Section 4, Township 2 South, Range 3 East and run West along the South line of the said Section 2640 feet, more or less, to the Southwest corner of the Southeast Quarter of said Section 4; run thence North along the West line of the said Southeast Quarter of said Section 4 a distance of 1320 feet, more or less, to the Northwest corner of the South Half of the said Southeast Quarter; run thence East and parallel with the South line of the said Section 4 a distance of 2640 ft., more or less, to the East line of the said Section 4; run thence South along the East line of the said Section 4 a distance of 1320 feet, more or less, to the point or place of beginning in Baldwin County, Alabama.

Section 2. That this act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6 all in the year 1963.

J. H. FAULKNER,

Sworn to and subscribed before me June 17, 1963.

DOROTHY MARTIN,
Title Notary Public.

By Mr. Baker (DeKalb):

II. 605. To propose an amendment to the Constitution of Alabama as amended in relation to the levying of special county taxes for public hospital purposes.

Local Government.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Nettles and Daniel:

H. 606. To provide for the deposit of money of the State and for the investment of portions thereof under certain conditions, creating the State investment committee and prescribing their powers, duties, and compensation.

Business and Labor.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Fite:

H. J. R. 65. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, that the Assistant Secretary of the Senate and the Assistant Clerk of the House shall continue to perform their duties when the legislature is not in session and shall receive the same compensation for their services as they receive when the legislature is in session.

On motion of Mr. Fite the rules were suspended and H.J.R. 65 was adopted.

Also:

By Messrs. Engel, Jones (Monroe), Fite, Turner (Crenshaw), Faulk and Grouby:

H. R. 66. WHEREAS, Mrs. Margaret F. Ketchersid, the sister of Mrs. W. L. (Doc) Martin of Greene County, Alabama, departed this life in Atlanta, Georgia, on the 12th day of June, 1963; and,

WHEREAS, the many friends of Representative and Mrs. W. L. (Doc) Martin have been saddened by the death of Mrs. Ketchersid; and

WHEREAS, the bereavement of Representative and Mrs. W. L. (Doc) Martin in their great loss is a matter felt keenly by their many friends in this Legislature.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, that we extend our condolences to Representative and Mrs. W. L. (Doc) Martin and that a copy of this resolution be sent to them.

On motion of Mr. Engel the rules were suspended and H.R. 66 was adopted.

Also:

By Mr. Rogers:

H. J. R. 67. Be it resolved by the House the Senate concurring that when the two Houses adjourn today they adjourn to meet again on Tuesday, June 25, 1963, and when they adjourn on Tuesday, June 25, 1963 they adjourn to meet again on Thursday, June 27, 1963.

On motion of Mr. Rogers the rules were suspended and H.J.R. 67 was adopted.

Yeas 68; Nays 10.

Yeas:

Mr. Speaker	Cooper	Hankins	Paulk
Albea	Cornett	Hannah	Pierce
Avery	Crawford	Hawkins	Powell
Bailes	Doggett	Heflin	Rast
Bassett	Downing	Hester	Rogers
Bevill	Drake	Hogan	Scurlock
Boston	Edington	Ingram	Slate
Bowers	Edwards (Escambia)	Little	Smith
Branyon	Engel	Locke	Steagall
Brown (Jefferson)	Etheredge	Martin	Stembridge
Brown (Tuscaloosa)	Faulk	Mashburn	Thomas
Burns	Fields	Meeks	Turner (Crenshaw)
Callahan	Fite	Merrill	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Moore	Turnham
Cantrell	Glass	Morrow	Vacca
Collins	Goldthwaite	Nettles	Wood
Cook	Goodwyn	Owens	Young

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Nays:

Messrs.	Camp	Hain	Pruitt
Bethea (M)	Campbell (Jackson)	Jones (Covington)	Teel
Bolton	Davis	Perry	

—10

Also:

By Messrs. Goldthwaite, Little, Pierce and Goodwyn:

H. J. R. 68. WHEREAS, one of the foremost women speakers in the South today is Mary D. Cain of Summit, Mississippi, and

WHEREAS, she is the owner and editor of the powerful weekly newspaper, THE SUMMIT SUN, and

WHEREAS, her wit and her Christian spirit evidenced in all her speeches has met with wide enthusiasm by all who have had the pleasure of hearing her,

NOW THEREFORE BE IT RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That Mary D. Cain be invited to speak to a joint session of the Legislature on Friday, July 12, 1963, at 10:30 A. M.

On motion of Mr. Goldthwaite the rules were suspended and H.J.R. 68 was adopted.

UNANIMOUS CONSENT GRANTED

Mr. Hawkins requested unanimous consent to have his name added as a co-author of the resolution, H.J.R. 63, and it was so granted.

RESOLUTION

The following resolution was introduced:

By Messrs. Young and Powell:

H. J. R. 69. WHEREAS President Kennedy in a frightening, finger-jabbing public statement, has declared his intention to wrest from the American people their personal rights, their property rights, and their constitutional rights in order to achieve his goal at any cost, and

WHEREAS, it is sometimes possible to force despotic ideologies upon a nation, but not for long, by the use of political chicanery, rubber-stamp federal courts, groups of little men who can be bought with the promise of political favors, and the issuance of executive orders compelling the populace to obey edicts never enacted into law; and

WHEREAS, the Legislature of Alabama is moved to inquire if the President has failed to read and understand the words of our own constitution, or the pages of world history wherein he can predict with reasonable certainty the end to which his course is leading. Does he not know that lawlessness spawns lawlessness, and riots beget riots? Can he not grasp the basic fact that there are some things that cannot be legislated, and that social equality can no more be legislated by man than can the changes of the seasons or the flow of the tides? Has he not learned that there are limits to which a people can be pushed by tyranny and oppression? Has he not for one moment paused to ask himself with calm reflection if it is possible that his goals could be false ones, and that his feet of clay will dissolve in the waters of unrest upon which he attempts to walk; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislature of Alabama deplores and views with alarm the course which has been plotted by the federal powers for this nation to follow, that the goals which such powers obviously seek, distasteful and noxious though they be, are no more terrifying than are the means which are being utilized to accomplish these ends.

BE IT FURTHER RESOLVED that this body recommends that the federal government return to a constitutional government which is responsible, honest, and economical, that we make our commitments with extreme care after deliberate consideration, and honor those we do make with strict conformity; that we stop trying to fool ourselves and others with high sounding phrases and meaningless bureaucratic jargon; that we realize the futility of trying to spend ourselves rich with deficit spending, inflationary prices, and vague hints of possible tax cuts; that we stop being so concerned about what is called our "national image" and be more concerned with national integrity and national unity. Let us do what is honest, necessary, and lawful and let the chips fall where they may.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Alabama legislative delegation and to the office of the President of the United States.

On motion of Mr. Young the rules were suspended and H.J.R. 69 was adopted.

BILLS ON THIRD READING

H. 476. To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation and provide for the payment thereof out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cooper	Hester	Pierce
Bailes	Crawford	Hogan	Powell
Baker (Madison)	Daniel	Ingram	Pruitt
Barnett	Davis	Jones (Covington)	Rast
Bassett	Doggett	Jones (Monroe)	Rogers
Bevill	Downing	Locke	Scurlock
Bolton	Drake	McDermott	Sessions
Boston	Edington	Martin	Slate
Branyon	Edwards (Escambia)	Meade	Smith
Brown (Jefferson)	Etheredge	Merrill	Snell
Burnham	Faulk	Moore	Steagall
Burns	Fields	Morrow	Sullivan
Callahan	Glass	NeSmith	Teel
Campbell (Jackson)	Goodwyn	Nettles	Turner (Limestone)
Carr	Hain	Owens	Vacca
Casey	Hankins	Paulk	Wood
Cates	Hannah		

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And the bill:

H. 477. To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Heflin	Pierce
Bailes	Cooper	Hester	Posey
Baker (Madison)	Crawford	Hogan	Powell
Bassett	Daniel	Ingram	Pruitt
Bethea (M)	Davis	Jones (Covington)	Rast
Bevill	Doggett	Jones (Monroe)	Rogers
Bolton	Drake	Locke	Scurlock
Boston	Edington	McDermott	Sessions
Bowers	Edwards (Escambia)	Martin	Smith
Branyon	Etheredge	Meade	Snell
Brown (Jefferson)	Faulk	Merrill	Stembridge
Brown (Tuscaloosa)	Fields	Moore	Sullivan
Burnham	Fite	Morrow	Teel
Burns	Glass	NeSmith	Thomas
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turner (Limestone)
Carr	Hain	Owens	Vacca
Casey	Hankins	Paulk	Wood

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H. 478 POSTPONED

On motion of Mr. Meade, consideration of the bill, H. 478, was postponed until the eighteenth legislative day.

And the bill:

H. 479. To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Ingram	Rast
Bethea (M)	Davis	Jones (Covington)	Rogers
Bevill	Doggett	Jones (Monroe)	Scurlock
Blanton	Downing	Locke	Smith
Bolton	Drake	McDermott	Snell
Boston	Edington	Martin	Steagall
Bowers	Edwards (Escambia)	Mashburn	Stembridge
Branyon	Etheredge	Meade	Sullivan
Brown (Jefferson)	Faulk	Merrill	Teel
Brown (Tuscaloosa)	Fields	Moore	Thomas
Burnham	Fite	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Vacca
Campbell (Tuscaloosa)	Goodwyn	Nettles	Wood
Carr	Hain	Owens	Young
Casey			

—81

And the bill:

H. 480. To amend further Act No. 541, H. 512, Regular Session 1951, an act providing for the allocation of the duties of the chairman and members of the city commission of certain cities classified on a population basis and providing for their compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Branyon	Crawford	Goodwyn
Albea	Brown (Jefferson)	Daniel	Hain
Avery	Brown (Tuscaloosa)	Davis	Hankins
Bailes	Burnham	Doggett	Hannah
Baker (Madison)	Burns	Downing	Harper
Barnett	Campbell (Jackson)	Drake	Heflin
Bassett	Campbell (Tuscaloosa)	Edington	Hester
Bethea (M)	Carr	Edwards (Escambia)	Hogan
Bevill	Casey	Etheredge	Ingram
Blanton	Cates	Faulk	Jones (Covington)
Bolton	Collins	Fields	Jones (Monroe)
Boston	Cooper	Fite	Little
Bowers	Cornett	Glass	Locke

McDermott	Owens	Rast	Sullivan
Meade	Paulk	Rogers	Teel
Merrill	Perry	Scurlock	Thomas
Moore	Pierce	Smith	Turner (Limestone)
Morrow	Powell	Snell	Vacca
NeSmith	Pruitt	Stembridge	Wood
Nettles			

—77

And the bill:

H. 489. Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32) and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Perry
Avery	Collins	Heflin	Pierce
Bailes	Cook	Hester	Powell
Baker (Madison)	Cooper	Hogan	Pruitt
Barnett	Cornett	Ingram	Rast
Bassett	Crawford	Jones (Covington)	Rogers
Bevill	Daniel	Jones (Monroe)	Salter
Blanton	Davis	Little	Scurlock
Bolton	Doggett	Locke	Sessions
Boston	Downing	McDermott	Smith
Bowers	Drake	Martin	Snell
Branyon	Edington	Mashburn	Steagall
Brown (Jefferson)	Edwards (Escambia)	Meade	Stembridge
Brown (Tuscaloosa)	Etheredge	Merrill	Sullivan
Burnham	Fields	Moore	Teel
Burns	Fite	Morrow	Thomas
Campbell (Jackson)	Glass	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Carr	Hankins	Owens	Wood

—80

And the bill:

H. 490. Relating to Lauderdale County, providing for additional meetings of the board of registrars.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Paulk
Albea	Collins	Harper	Perry
Avery	Cook	Heflin	Pierce
Bailes	Cooper	Hester	Powell
Baker (Madison)	Cornett	Hogan	Pruitt
Barnett	Crawford	Ingram	Rast
Bassett	Daniel	Jones (Covington)	Rogers
Bethea (M)	Davis	Jones (Monroe)	Scurlock
Bevill	Doggett	Little	Sessions
Bolton	Downing	Locke	Smith
Bowers	Drake	McDermott	Snell
Branyon	Edington	Martin	Steagall
Brown (Jefferson)	Edwards (Escambia)	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meeks	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Moore	Thomas
Campbell (Jackson)	Fite	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	NeSmith	Vacca
Carr	Hain	Nettles	Wood
Casey	Hankins	Owens	Young

—80

And the bill:

H. 491. To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Perry
Avery	Collins	Heflin	Pierce
Bailes	Cook	Hester	Powell
Baker (Madison)	Cooper	Hogan	Pruitt
Barnett	Cornett	Ingram	Rast
Bassett	Crawford	Jones (Covington)	Rogers
Bethea (M)	Daniel	Jones (Monroe)	Salter
Bevill	Davis	Little	Scurlock
Blanton	Doggett	Locke	Sessions
Bolton	Downing	McDermott	Smith
Boston	Drake	Martin	Snell
Bowers	Edington	Mashburn	Steagall
Branyon	Edwards (Escambia)	Meeks	Stembridge
Brown (Jefferson)	Etheredge	Merrill	Sullivan
Brown (Tuscaloosa)	Faulk	Moore	Teel
Burnham	Fields	Morrow	Thomas
Burns	Fite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Glass	Nettles	Vacca
Campbell (Tuscaloosa)	Hain	Owens	Wood
Carr	Hankins		

—82

And the bill:

H. 497. To propose an amendment to the Constitution of Alabama

relating to the costs and charges of courts, and the fees, commissions, percentages, allowances, and compensation of the officers of Marshall County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Paulk
Albea	Cook	Hannah	Perry
Bailes	Cooper	Harper	Pierce
Baker (Madison)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Rast
Bassett	Daniel	Hogan	Rogers
Bethea (M)	Davis	Ingram	Salter
Bevill	Doggett	Jones (Covington)	Scurlock
Boston	Dominick	Jones (Monroe)	Sessions
Bowers	Downing	Little	Smith
Branyon	Drake	Locke	Snell
Brown (Jefferson)	Edington	McDermott	Stegall
Brown (Tuscaloosa)	Edwards (Escambia)	Martin	Stembridge
Burnham	Etheredge	Mashburn	Sullivan
Burns	Faulk	Meeks	Teel
Campbell (Jackson)	Fields	Merrill	Thomas
Campbell (Tuscaloosa)	Fite	Moore	Turner (Limestone)
Carr	Glass	NeSmith	Vacca
Casey	Goodwyn	Netties	Wood
Cates	Hain	Owens	Young

—80

And the bill:

H. 484. To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Hankins	Owens
Albea	Cooper	Hannah	Paulk
Bailes	Cornett	Harper	Perry
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Davis	Hogan	Rast
Bethea (M)	Doggett	Ingram	Rogers
Bevill	Dominick	Jones (Covington)	Salter
Boston	Downing	Jones (Monroe)	Scurlock
Bowers	Drake	Little	Sessions
Branyon	Edington	Locke	Smith
Brown (Jefferson)	Edwards (Escambia)	McDermott	Snell
Brown (Tuscaloosa)	Etheredge	Martin	Stegall
Burnham	Faulk	Mashburn	Stembridge
Burns	Fields	Meeks	Sullivan
Campbell (Jackson)	Fite	Merrill	Teel
Carr	Glass	Moore	Thomas
Casey	Goodwyn	Morrow	Turner (Limestone)
Cates	Grouby	NeSmith	Vacca
Collins	Hain	Netties	Wood

—80

And the bill:

H. 501. To amend Section 254 of Title 13 of the Code of Alabama of 1940, (Act No. 315, H. 459, approved Oct. 29, 1959) which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Owens
Albea	Cook	Hankins	Paulk
Avery	Cooper	Hannah	Perry
Bailes	Cornett	Harper	Pierce
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hogan	Pruitt
Bassett	Davis	Ingram	Rast
Bethea (M)	Doggett	Jones (Covington)	Rogers
Bevill	Dominick	Jones (Monroe)	Smith
Bolton	Downing	Little	Snell
Boston	Drake	Locke	Steagall
Bowers	Edgington	McDermott	Stembridge
Branyon	Edwards (Escambia)	Martin	Sullivan
Brown (Jefferson)	Etheredge	Meeks	Teel
Burnham	Faulk	Merrill	Thomas
Burns	Fields	Moore	Turner (Limestone)
Campbell (Jackson)	Fite	Morrow	Vacca
Cantrell	Glass	NeSmith	Wood
Carr	Goodwyn	Nettles	Young
Casey	Grouby		

—78

And the bill:

H. 506. Relating to the first judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Campbell (Jackson)	Edgington	Jones (Covington)
Albea	Cantrell	Edwards (Escambia)	Jones (Monroe)
Avery	Carr	Etheredge	Little
Bailes	Casey	Faulk	Locke
Baker (Madison)	Cates	Fields	McDermott
Barnett	Collins	Fite	Martin
Bassett	Cook	Glass	Mashburn
Bethea (M)	Cooper	Goodwyn	Meeks
Bevill	Cornett	Grouby	Merrill
Bolton	Crawford	Hain	Moore
Boston	Daniel	Hankins	NeSmith
Bowers	Davis	Hannah	Nettles
Branyon	Doggett	Harper	Owens
Brown (Jefferson)	Dominick	Heflin	Paulk
Burnham	Downing	Hogan	Perry
Burns	Drake	Ingram	Pierce

Powell	Scurlock	Stembridge	Turner (Limestone)
Pruitt	Smith	Sullivan	Vacca
Rast	Snell	Teel	Wood
Rogers	Steagall	Thomas	Young
Salter			

—81

MOTION TO SUSPEND RULES LOST

The motion of Mr. Burns to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 148, was lost.

Yeas 47; Nays 31.

Yeas:

Mr. Speaker	Cantrell	Hain	Powell
Albea	Carr	Hannah	Salter
Bevill	Casey	Harper	Scurlock
Blanton	Cornett	Heflin	Slate
Bolton	Downing	Hester	Smith
Boston	Drake	Hogan	Snell
Bowers	Edgington	Jones (Covington)	Steagall
Brown (Tuscaloosa)	Edwards (Escambia)	McDermott	Thomas
Burnham	Fite	Merrill	Turner (Limestone)
Burns	Glass	Moore	Wood
Callahan	Goodwyn	Owens	Young
Campbell (Jackson)	Grouby	Paulk	

—47

Nays:

Messrs.	Cates	Hankins	NeSmith
Avery	Collins	Ingram	Nettles
Bailes	Cooper	Jones (Monroe)	Perry
Baker (Madison)	Crawford	Locke	Pruitt
Barnett	Daniel	Martin	Rast
Branyon	Davis	Mashburn	Rogers
Brown (Jefferson)	Doggett	Meeks	Sessions
Campbell (Tuscaloosa)	Etheredge	Morrow	Teel

—31

MOTION TO SUSPEND RULES LOST

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 93, was lost.

Yeas 59; Nays 17.

Yeas:

Mr. Speaker	Callahan	Edwards (Escambia)	Jones (Covington)
Albea	Campbell (Jackson)	Faulk	Jones (Monroe)
Baker (Madison)	Cantrell	Fields	Little
Basset	Cates	Fite	McDermott
Bevill	Collins	Glass	Meeks
Blanton	Cooper	Goodwyn	Merrill
Bolton	Cornett	Grouby	Morrow
Bowers	Daniel	Hain	Nettles
Brown (Jefferson)	Downing	Hannah	Owens
Brown (Tuscaloosa)	Drake	Harper	Paulk
Burnham	Edgington	Hogan	Perry

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Pierce	Scurlock	Snell	Turner (Crosshaw)
Powell	Sessions	Steagall	Turner (Limestone)
Rast	Slate	Stembridge	Young
Rogers	Smith	Thomas	

—59

Nays:

Messrs.	Branyon	Dominick	Mashburn
Avery	Campbell (Tuscaloosa)	Hankins	NeSmith
Bailes	Carr	Hester	Salter
Barnett	Casey	Ingram	Teel
Bolton	Crawford		

—17

RESOLUTION

The following resolution was introduced:

By Mr. Powell:

H.R. 70. WHEREAS Mrs. Cooper, wife of our esteemed colleague, the member from Macon, underwent major surgery at St. Margaret's Hospital on June 19th from which surgery she is recuperating satisfactorily; now therefore

BE IT RESOLVED BY THE HOUSE, That we are delighted to hear of the good progress in Mrs. Cooper's condition, and wish for her a speedy recovery, and hope that she will soon be enabled to return to the normal active participation of her most useful life.

On motion of Mr. Powell the rules were suspended and H.R. 70 was adopted.

BILLS ON THIRD READING RESUMED

H. 154. To empower the governing body of every city and town in the State to declare certain records of the city or town, or municipal board of the city or town, to be obsolete and to authorize the destruction of such records; defining "public record", "municipal board", "governing body", "permanent record", and other terms and phrases for the purposes of this Act; prescribing the procedure to be followed by the governing body of the city or town in the exercise of this power; relieving the custodian of records destroyed pursuant to this authority from further responsibility for the keeping or saving of such records; repealing all laws in conflict with the provisions of this Act to the extent of such conflict; and providing for the severability of the provisions of this Act.

Was again taken up.

Messrs. Edington and Rogers offered the following amendment to the bill, H. 154:

AMENDMENT TO HB 154

There is hereby added to Section 2 of HB 154 the following:

Provided, however, that no public record, as hereinabove defined, may be destroyed until the same has been in the possession of a governing body, a subdivision thereof, or a municipal board, for a period of not less than

thirty (30) years; and further provided that no such public record may be destroyed which is involved in or connected with any pending litigation until such litigation is finally concluded, and further provided that no such public record may be destroyed when said record may be used, either directly or collaterally, in proving title to real property.

The motion of Mr. Crawford to lay on the table the amendment offered by Messrs. Edington and Rogers was lost.

Yeas 26; Nays 56.

Yeas:

Messrs.	Etheredge	Hester	Rast
Branyon	Fite	Ingram	Sessions
Brown (Tuscaloosa)	Gilmore	McDermott	Steagall
Cantrell	Goodwyn	NeSmith	Stembridge
Cates	Hain	Paulk	Teel
Cooper	Hankins	Powell	Vacca
Edwards (Escambia)	Harper	Pruitt	

—26

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Goldthwaite	Owens
Albea	Carr	Hannah	Pierce
Bailes	Casey	Heflin	Rogers
Baker (Madison)	Collins	Hogan	Salter
Bevill	Cornett	Jones (Covington)	Scurlock
Blanton	Daniel	Jones (Monroe)	Slate
Bolton	Davis	Little	Smith
Boston	Doggett	Locke	Snell
Bowers	Downing	Meade	Sullivan
Burnham	Drake	Meeks	Thomas
Burns	Edington	Merrill	Turner (Crenshaw)
Callahan	Faulk	Moore	Turner (Limestone)
Camp	Fields	Morrow	Wood
Campbell (Jackson)	Glass	Nettles	Young

—56

The question was then on the adoption of the amendment offered by Messrs. Edington and Rogers to the bill, H. 154, and said amendment was adopted.

Yeas 63; Nays 24.

Yeas:

Mr. Speaker	Carr	Hannah	Rast
Albea	Casey	Heflin	Rogers
Bailes	Collins	Hogan	Salter
Baker (Madison)	Cornett	Jones (Covington)	Scurlock
Barnett	Daniel	Jones (Monroe)	Sessions
Bevill	Doggett	Little	Slate
Blanton	Dominick	Locke	Smith
Bolton	Downing	McDermott	Snell
Boston	Drake	Meade	Stembridge
Brown (Jefferson)	Edington	Merrill	Sullivan
Burnham	Edwards (Escambia)	Moore	Thomas
Burns	Engel	Morrow	Turner (Crenshaw)
Callahan	Faulk	Nettles	Turner (Limestone)
Camp	Glass	Owens	Wood
Campbell (Tuscaloosa)	Goldthwaite	Perry	Young
Cantrell	Grouby	Pierce	

—63

Nays:

Messrs.	Davis	Harper	Paulk
Bassett	Etheredge	Hester	Powell
Branyon	Fite	Ingram	Pruitt
Brown (Tuscaloosa)	Goodwyn	Martin	Stegall
Campbell (Jackson)	Hain	Meeks	Teel
Cates	Hankins	NeSmith	Vacca
Cooper			

—24

And said bill, H. 154, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 10.

Yeas:

Mr. Speaker	Carr	Hain	Perry
Albea	Collins	Hankins	Pierce
Avery	Cooper	Hannah	Powell
Bailes	Cornett	Hawkins	Rast
Baker (Madison)	Crawford	Heflin	Rogers
Barnett	Daniel	Hester	Salter
Bassett	Davis	Hogan	Scurlock
Bethea (M)	Doggett	Ingram	Sessions
Bevill	Dominick	Little	Smith
Blanton	Downing	Locke	Snell
Bolton	Edgington	McDermott	Steagall
Bowers	Edwards (Escambia)	Meade	Stembridge
Branyon	Engel	Meeks	Thomas
Brown (Jefferson)	Etheredge	Merrill	Turner (Crenshaw)
Brown (Tuscaloosa)	Fields	Moore	Turner (Limestone)
Burnham	Fite	Morrow	Vacca
Camp	Gilmore	NeSmith	Wood
Campbell (Tuscaloosa)	Goodwyn	Nettles	Young
Cantrell	Grouby	Owens	

—75

Nays:

Messrs.	Campbell (Jackson)	Glass	Slate
Boston	Casey	Jones (Covington)	Teel
Callahan	Drake	Pruitt	

—10

And the bill:

H. 155. To amend Section 3 of Act Number 542 of the Regular Session of the Legislature of 1943 (Title 36, Section 110, Code of Alabama 1940, recompiled 1958 edition) relating to fees charged at municipal motor vehicle testing stations.

Was again taken up.

Mr. Crawford offered the following substitute for the bill, H. 155:

Substitute for House Bill 155:

**A BILL
TO BE ENTITLED
AN ACT**

To amend Sections 3 and 7 of Act Number 542 of the Regular Session of the Legislature of 1943 (Title 36, Sections 110 and 114, Code of Alabama 1940, recompiled 1958) relating to municipal motor vehicle testing stations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 3 of Act Number 542 of the Regular Session of the Legislature of 1943 (Title 36, Section 110, Code of Alabama 1940, recompiled 1958 edition) be and the same is hereby amended to read as follows:

"Section 3. FEES, ONE DOLLAR PER TEST: MAXIMUM \$2.00 PER ANNUM. Such city shall have the power to fix the amount of fees, not exceeding one dollar per test and not more than two dollars per annum, for the inspection of any motor vehicle for any and all defects prohibited by law upon, and for every restriction and requirement imposed by law with respect to the equipment and maintenance of, any such motor vehicle operated upon the streets, alleys or highways of such city. In addition to inspections required by ordinance, any owner or operator may have his motor vehicle inspected as often as he may reasonably desire, between such inspection periods as may be fixed by such city. Such city shall have additional power to set aside all fees so collected by it in a separate fund out of which all costs and expenses in connection with or growing out of the construction, establishment, equipment, operation and maintenance of such stations by it shall be paid. Any surplus remaining in such fund shall be paid into a fund for traffic regulation and enforcement."

Section 2. That Section 7 of Act Number 542 of the Regular Session of the Legislature of 1943 (Title 36, Section 114, Code of Alabama 1940, recompiled 1958 edition) be and the same is hereby amended to read as follows:

"Section 7. Scope; residents or persons who maintain place of business in city. - Any such city may provide for the inspection of motor vehicles operated upon the streets, alleys, or highways thereof when owned or operated by residents or by persons who maintain a place of business in any such city where so operated."

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming a law.

And the substitute was adopted.

Yeas 66; Nays 12.

Yeas:

Mr. Speaker	Camp	Edgington	Heflin
Albea	Carr	Edwards (Escambia)	Hester
Avery	Casey	Engel	Hogan
Bailes	Cates	Etheredge	Ingram
Baker (DeKalb)	Collins	Fite	Jones (Covington)
Baker (Madison)	Cooper	Gilmore	Jones (Monroe)
Bethea (M)	Daniel	Goldthwaite	Locke
Bevill	Davis	Goodwyn	McDermott
Bowers	Doggett	Hain	Meade
Brown (Jefferson)	Dominick	Hankins	Meeks
Burns	Downing	Harper	Morrow

NeSmith	Powell	Slate	Teel
Nettles	Pruitt	Smith	Thomas
Owens	Rast	Snell	Turner (Limestone)
Paulk	Rogers	Steagall	Vacca
Perry	Scurlock	Stembridge	Young
Pierce	Sessions		

—66

Nays:

Messrs.	Brown (Tuscaloosa)	Campbell (Jackson)	Hannah
Barnett	Burnham	Cantrell	Moore
Bolton	Callahan	Drake	Wood
Boston			

—12

And said bill, H. 155, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 48; Nays 37.

Yeas:

Mr. Speaker	Edington	Ingram	Pierce
Baker (Madison)	Edwards (Escambia)	Locke	Pruitt
Bethea (M)	Engel	McCorquodale	Rast
Bowers	Etheredge	McDermott	Rogers
Brown (Jefferson)	Fite	Martin	Sessions
Collins	Gilmore	Meade	Snell
Cook	Goldthwaite	Meeks	Steagall
Cooper	Goodwyn	NeSmith	Stembridge
Crawford	Hain	Nettles	Sullivan
Daniel	Hankins	Owens	Teel
Dominick	Harper	Paulk	Vacca
Downing	Hogan	Perry	Young

—48

Nays:

Messrs.	Burnham	Doggett	Little
Albea	Burns	Drake	Merrill
Avery	Callahan	Faulk	Moore
Bailes	Camp	Grouby	Powell
Barnett	Campbell (Jackson)	Hannah	Scurlock
Bevill	Cantrell	Heflin	Slate
Bolton	Carr	Hester	Smith
Boston	Casey	Jones (Covington)	Turner (Limestone)
Branyon	Cates	Jones (Monroe)	Wood
Brown (Tuscaloosa)	Davis		

—37

And the bill:

H. 156. To amend Section 1 of Act No. 912 of the Regular Session of the Legislature of 1951, approved September 12, 1951, relating to the assessment of solicitors' fees as part of the cost of appeals of judgments rendered in municipal courts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 56; Nays 31.

Yeas:

Mr. Speaker	Davis	Hogan	Pruitt
Avery	Downing	Ingram	Rast
Baker (DeKalb)	Drake	Locke	Scurlock
Baker (Madison)	Edgington	McCorquodale	Sessions
Bassett	Edwards (Escambia)	McDermott	Smith
Bethea (M)	Engel	Martin	Snell
Blanton	Fite	Mashburn	Steagall
Brown (Jefferson)	Gilmore	Meade	Stembridge
Brown (Tuscaloosa)	Goodwyn	Meeks	Sullivan
Campbell (Tuscaloosa)	Grouby	Morrow	Teel
Cantrell	Hain	NeSmith	Turner (Limestone)
Collins	Harper	Owens	Vacca
Cook	Hawkins	Paulk	Wood
Cooper	Hester	Perry	Young

—56

Nays:

Messrs.	Callahan	Doggett	Little
Albea	Camp	Dominick	Merrill
Bailes	Campbell (Jackson)	Etheredge	Moore
Barnett	Carr	Faulk	Pierce
Bolton	Casey	Goldthwaite	Powell
Boston	Cates	Hannah	Rogers
Bowers	Cornett	Heflin	Slate
Burnham	Daniel	Jones (Covington)	Thomas

—31

And the bill:

H. 158. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 9.

Yeas:

Mr. Speaker	Collins	Hain	Paulk
Albea	Cook	Hankins	Perry
Avery	Cooper	Hannah	Pierce
Bailes	Crawford	Harper	Powell
Baker (DeKalb)	Daniel	Hawkins	Pruitt
Baker (Madison)	Davis	Heflin	Rast
Bassett	Doggett	Hester	Rogers
Bevill	Dominick	Ingram	Salter
Bolton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Jones (Monroe)	Sessions
Bowers	Edwards (Escambia)	Locke	Smith
Branyon	Engel	McDermott	Steagall
Brown (Jefferson)	Etheredge	Mashburn	Stembridge
Brown (Tuscaloosa)	Faulk	Meade	Sullivan
Burnham	Fields	Meeks	Teel
Burns	Fite	Merrill	Thomas
Camp	Gilmore	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	NeSmith	Vacca
Campbell (Tuscaloosa)	Goodwyn	Nettles	Wood
Cantrell	Grouby	Owens	Young
Cates			

—81

Nays:

Messrs.	Carr	Hogan	Slate
Barnett	Casey	Little	Turner (Limestone)
Blanton	Edgington		

—9

And the bill:

H. 159. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 5.

Yeas:

Mr. Speaker	Casey	Hankins	Owens
Albea	Cates	Hannah	Paulk
Avery	Collins	Harper	Perry
Bailes	Cooper	Hawkins	Pierce
Baker (Madison)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Pruitt
Bassett	Daniel	Hogan	Rast
Bevill	Davis	Ingram	Rogers
Blanton	Doggett	Jones (Covington)	Salter
Bolton	Dominick	Jones (Monroe)	Scurlock
Boston	Downing	Little	Smith
Bowers	Edwards (Escambia)	Locke	Steagall
Branyon	Engel	McCorquodale	Stembridge
Brown (Jefferson)	Faulk	McDermott	Sullivan
Brown (Tuscaloosa)	Fite	Mashburn	Teel
Burnham	Gilmore	Meade	Thomas
Burns	Goldthwaite	Meeks	Turner (Crenshaw)
Camp	Goodwyn	Merrill	Vacca
Campbell (Jackson)	Grouby	NeSmith	Wood
Campbell (Tuscaloosa)	Hain	Nettles	Young
Cantrell			

—81

Nays:

Messrs.	Carr	Slate	Turner (Limestone)
Bethea (M)	Edgington		

—5

And the bill:

H. 160. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 8.

Yeas:

Mr. Speaker	Avery	Baker (DeKalb)	Barnett
Albea	Bailes	Baker (Madison)	Bassett

Bevill	Daniel	Hawkins	Perry
Blanton	Davis	Heflin	Pierce
Boston	Doggett	Hester	Powell
Bowers	Dominick	Hogan	Pruitt
Branyon	Downing	Ingram	Rast
Brown (Jefferson)	Drake	Jones (Covington)	Rogers
Brown (Tuscaloosa)	Edgington	Jones (Monroe)	Scurlock
Burnham	Edwards (Escambia)	McCorquodale	Sessions
Callahan	Engel	McDermott	Smith
Campbell (Jackson)	Faulk	Mashburn	Steagall
Cantrell	Fite	Meade	Stembridge
Casey	Gilmore	Meeks	Sullivan
Cates	Grouby	Merrill	Teel
Collins	Hain	NeSmith	Turner (Crenshaw)
Cooper	Hankins	Nettles	Vacca
Cornett	Hannah	Owens	Wood
Crawford	Harper	Paulk	Young

—76

Nays:

Messrs.	Camp	Goldthwaite	Slate
Bethea (M)	Carr	Goodwyn	Turner (Limestone)
Bolton			

—8

H. 143. POSTPONED

On motion of Mr. Steagall, consideration of the bill, H. 143, was postponed until the next legislative day.

And the bill:

H. 148. To amend Code of Alabama 1940, Title 7, Section 123, as amended, providing further for compensatory and punitive damages in actions by personal representative for wrongful death.

Was taken up.

Mr. Slate offered the following amendment to the bill, H. 148:

Amendment to H. B. 148

In Section 1, second paragraph, strike out "The personal representative of a deceased person may maintain an action in a court of competent jurisdiction within the State of Alabama, and not elsewhere, and recover such compensatory damages as the jury may assess, and such punitive damages as the jury may assess not to exceed the sum of \$25,000," and insert "The personal representative of a deceased person may maintain an action in a court of competent jurisdiction within the State of Alabama, and not elsewhere, and recover such punitive and compensatory damages as the jury may assess"

The motion of Mr. Rogers to lay on the table the amendment offered by Mr. Slate was lost.

Yeas 36; Nays 56.

Yeas:

Messrs.	Bailes	Branyon	Collins
Avery	Barnett	Brown (Jefferson)	Cooper

Daniel	Hain	Mashburn	Pruitt
Davis	Hankins	Meeks	Rast
Doggett	Hawkins	Morrow	Rogers
Dominick	Jones (Monroe)	NeSmith	Sessions
Edwards (Lowndes)	Little	Nettles	Stembridge
Etheredge	McCorquodale	Perry	Turner (Limestone)
Fields	Martin	Pierce	Young
Gilmore			

—36

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Glass	Moore
Albea	Cantrell	Goldthwaite	Owens
Baker (Madison)	Carr	Goodwyn	Paulk
Bassett	Casey	Grouby	Powell
Bethea (M)	Cates	Hannah	Scurlock
Bevill	Cook	Harper	Slate
Blanton	Cornett	Heflin	Smith
Bolton	Crawford	Hester	Snell
Boston	Downing	Hogan	Steagall
Bowers	Drake	Ingram	Sullivan
Burnham	Edington	Jones (Covington)	Teel
Callahan	Edwards (Escambia)	Locke	Turner (Crenshaw)
Camp	Engel	McDermott	Vacca
Campbell (Jackson)	Fite	Merrill	Wood

—56

The question was then on the adoption of the amendment offered by Mr. Slate to the bill, H. 148, and said amendment was adopted.

Yeas 62; Nays 27.

Yeas:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cook	Hannah	Pierce
Baker (Madison)	Cooper	Harper	Powell
Bassett	Cornett	Heflin	Scurlock
Bethea (M)	Crawford	Hester	Slate
Bevill	Downing	Hogan	Smith
Blanton	Drake	Ingram	Snell
Bolton	Edwards (Escambia)	Jones (Covington)	Steagall
Boston	Engel	Little	Stembridge
Bowers	Faulk	Locke	Sullivan
Burnham	Fite	McDermott	Turner (Crenshaw)
Callahan	Gilmore	Meade	Turner (Limestone)
Camp	Glass	Merrill	Vacca
Campbell (Jackson)	Goldthwaite	Moore	Wood
Cantrell	Goodwyn	Owens	Young
Carr	Grouby		

—62

Nays:

Messrs.	Collins	Hawkins	Nettles
Avery	Daniel	Jones (Monroe)	Perry
Bailes	Davis	McCorquodale	Pruitt
Barnett	Doggett	Mashburn	Rast
Branyon	Edington	Meeks	Rogers
Brown (Jefferson)	Etheredge	Morrow	Salter
Cates	Hankins	NeSmith	Sessions

—27

Mr. Jones (Covington) offered the following amendment to the bill, H. 148, as amended:

Amendment to HB 148

In Section 1, second paragraph, insert after the second sentence ending with the word "distributions" the following:

If both punitive and compensatory damages are agreed to by the jury, separate verdicts shall be rendered as to each.

And the amendment was adopted.

Yeas 72; Nays 17.

Yeas:

Mr. Speaker	Cooper	Grouby	Moore
Albea	Cornett	Hain	Nettles
Bailes	Crawford	Hankins	Owens
Baker (Madison)	Daniel	Hannah	Powell
Bassett	Davis	Harper	Rogers
Bevill	Doggett	Heflin	Salter
Blanton	Dominick	Hester	Scurlock
Bolton	Downing	Hogan	Slate
Boston	Drake	Ingram	Smith
Bowers	Edwards (Escambia)	Jones (Covington)	Snell
Burnham	Edwards (Lowndes)	Jones (Monroe)	Stembridge
Burns	Engel	Little	Sullivan
Callahan	Faulk	Locke	Teel
Campbell (Jackson)	Fite	McCorquodale	Turner (Crenshaw)
Campbell (Tuscaloosa)	Gilmore	McDermott	Turner (Limestone)
Carr	Glass	Mashburn	Vacca
Casey	Goldthwaite	Meade	Wood
Cook	Goodwyn	Merrill	Young

—72

Nays:

Messrs.	Cates	Meeks	Pierce
Avery	Collins	Morrow	Pruitt
Barnett	Edington	NeSmith	Rast
Branyon	Etheredge	Perry	Sessions
Brown (Jefferson)	Martin		

—17

The motion of Mr. Rogers to indefinitely postpone the bill, H. 148, as amended, was lost.

Yeas 41; Nays 55.

Yeas:

Messrs.	Collins	Gilmore	Morrow
Avery	Cooper	Hankins	NeSmith
Bailes	Daniel	Hawkins	Nettles
Barnett	Davis	Heflin	Paulk
Bethea (M)	Doggett	Jones (Monroe)	Perry
Branyon	Edington	Little	Pierce
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Pruitt
Campbell (Tuscaloosa)	Etheredge	Mashburn	Rast
Cates	Fields	Meeks	Rogers

Salter Sessions	Stembridge Turner (Limestone)	Vacca	Young
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—41

Nays:

Mr. Speaker	Camp	Fite	Meade
Albea	Campbell (Jackson)	Glass	Merrill
Baker (DeKalb)	Cantrell	Goldthwaite	Moore
Baker (Madison)	Carr	Goodwyn	Owens
Bassett	Casey	Grouby	Powell
Bevill	Cook	Hain	Scurlock
Blanton	Cornett	Hannah	Slate
Bolton	Crawford	Harper	Smith
Boston	Dominick	Hester	Snell
Bowers	Downing	Hogan	Steagall
Brown (Tuscaloosa)	Drake	Ingram	Teel
Burnham	Edwards (Escambia)	Jones (Covington)	Turner (Crenshaw)
Burns	Engel	Locke	Wood
Callahan	Faulk	McDermott	

—55

Mr. Branyon offered the following amendment to the bill, H. 148, as amended:

Amend Section 123 of H.B. 148 by adding the following:

"provided, however, that attorneys fees for the attorneys representing the plaintiff shall be limited to no more than five (5%) of any damages awarded.

On motion of Mr. Mashburn the amendment offered by Mr. Branyon was laid upon the table.

And said bill, H. 148, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 50; Nays 44.

Yeas:

Mr. Speaker	Callahan	Fite	McDermott
Albea	Camp	Glass	Merrill
Baker (DeKalb)	Campbell (Jackson)	Goodwyn	Moore
Baker (Madison)	Cantrell	Grouby	Owens
Bassett	Casey	Hain	Powell
Bethea (M)	Cook	Hannah	Scurlock
Bevill	Cornett	Harper	Slate
Blanton	Crawford	Hester	Smith
Bolton	Dominick	Hogan	Steagall
Boston	Downing	Ingram	Teel
Bowers	Drake	Jones (Covington)	Thomas
Burnham	Edwards (Escambia)	Locke	Turner (Crenshaw)
Burns	Engel		

—50

Nays:

Messrs.	Brown (Jefferson)	Cooper	Edwards (Lowndes)
Avery	Brown (Tuscaloosa)	Daniel	Etheredge
Bailes	Campbell (Tuscaloosa)	Davis	Faulk
Barnett	Cates	Doggett	Fields
Branyon	Collins	Edgington	Gilmore

Goldthwaite	Mashburn	Perry	Sessions
Hankins	Meeks	Pierce	Stembridge
Hawkins	Morrow	Pruitt	Sullivan
Heflin	NeSmith	Rast	Turner (Limestone)
Jones (Monroe)	Nettles	Rogers	Vacca
Little	Paulk	Salter	Young
Martin			

—44

MOTION TO RECONSIDER TABLED

The motion of Mr. Fite to lay on the table the motion of Mr. Bethea (M) to reconsider the vote by which the bill, H. 148, as amended, was passed, was adopted.

Yeas 54; Nays 37.

Yeas:

Mr. Speaker	Cantrell	Goldthwaite	Owens
Albea	Carr	Goodwyn	Paulk
Baker (Madison)	Casey	Grouby	Powell
Bevill	Cook	Hain	Salter
Blanton	Cornett	Hannah	Scurlock
Bolton	Crawford	Hester	Slate
Boston	Daniel	Hogan	Smith
Bowers	Davis	Ingram	Snell
Brown (Tuscaloosa)	Dominick	Jones (Covington)	Steagall
Burnham	Downing	Locke	Teel
Burns	Drake	McDermott	Thomas
Callahan	Engel	Merrill	Turner (Crenshaw)
Camp	Fite	Moore	Wood
Campbell (Jackson)	Glass		

—54

Nays:

Messrs.	Edington	Little	Pruitt
Avery	Edwards (Escambia)	Martin	Rast
Bailes	Edwards (Lowndes)	Mashburn	Rogers
Barnett	Etheredge	Meeks	Sessions
Bethea (M)	Faulk	Morrow	Stembridge
Branyon	Fields	NeSmith	Sullivan
Brown (Jefferson)	Gilmore	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Hankins	Perry	Vacca
Collins	Heflin	Pierce	Young
Doggett	Jones (Monroe)		

—37

BILLS ON THIRD READING RESUMED

H. 493. Relating to counties having populations of not less than 15,400 nor more than 16,000; fixing the compensation of the county or deputy solicitor in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Nettles
Albea	Collins	Hain	Owens
Avery	Cooper	Hankins	Paulk
Bailes	Cornett	Hannah	Perry
Baker (DeKalb)	Crawford	Harper	Pierce
Barnett	Daniel	Hawkins	Powell
Bassett	Davis	Hester	Pruitt
Bethea (M)	Doggett	Hogan	Rogers
Bevill	Drake	Ingram	Salter
Blanton	Edington	Jones (Covington)	Scurlock
Bolton	Edwards (Escambia)	Little	Sessions
Boston	Edwards (Lowndes)	Locke	Slate
Bowers	Engel	McCorquodale	Smith
Branyon	Etheredge	McDermott	Snell
Brown (Jefferson)	Faulk	Martin	Steagall
Brown (Tuscaloosa)	Fields	Meade	Stembridge
Burnham	Fite	Meeks	Turner (Crenshaw)
Camp	Gilmore	Merrill	Turner (Limestone)
Campbell (Jackson)	Glass	Moore	Vacca
Campbell (Tuscaloosa)	Goldthwaite	Morrow	Wood
Carr	Goodwyn	NeSmith	Young
Casey			

—85

RESOLUTION

The following resolution was introduced:

By Mr. Engel:

H. R. 71. WHEREAS, important constitutional questions are presented by House Bill No. 526 (a copy of which is hereto attached, now pending in the Legislature of Alabama; now, therefore, be it resolved by the House of Representatives of Alabama that the Justices of the Supreme Court of Alabama are hereby respectfully requested to render an opinion, as provided in Title 13, Section 34, of the Code of Alabama of 1940, as amended, on the following important constitutional questions:

(1) Do the provisions of said bill violate the provisions of Section 23 and 212 of the Constitution of Alabama?

(2) Do the provisions of said bill violate the provisions of Section 104 of the Constitution of Alabama?

(3) Do the provisions of said bill violate the provisions of Section 94 of the Constitution of Alabama?

(4) Will the said bill, if enacted, violate the provisions of Amendment XCIII of the Constitution of Alabama?

(5) Will the provisions of said bill, insofar as they are inconsistent with the provisions of Section 711 of Title 51 of the Code of Alabama of 1940, as amended, violate Sections 105 and 108 of the Constitution of Alabama?

On motion of Mr. Engel the rules were suspended and H.R. 71 was adopted.

MOTION TO ADJOURN LOST

The motion of Mr. Hester that the House adjourn until Tuesday, June 25, 1963, at twelve o'clock, noon, was lost.

Yeas 33; Nays 54.

Yeas:

Messrs.	Cantrell	Hester	Owens
Avery	Carr	Ingram	Perry
Bailes	Casey	Jones (Covington)	Powell
Barnett	Cook	Little	Rast
Bevill	Drake	Locke	Salter
Blanton	Edwards (Escambia)	Meade	Scurlock
Branyon	Etheredge	Morrow	Teel
Brown (Jefferson)	Fite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hankins		

—33

Nays:

Mr. Speaker	Cornett	Hawkins	Pierce
Albea	Daniel	Heflin	Rogers
Baker (DeKalb)	Davis	Hogan	Sessions
Bassett	Doggett	Jones (Monroe)	Slate
Bethea (M)	Dominick	McCorquodale	Snell
Boston	Downing	McDermott	Steagall
Bowers	Edington	Martin	Stembridge
Burnham	Gilmore	Mashburn	Sullivan
Callahan	Glass	Meeks	Thomas
Camp	Goldthwaite	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Moore	Vacca
Cates	Grouby	Nettles	Wood
Collins	Hain	Paulk	Young
Cooper	Hannah		

—54

MOTION TO SUSPEND RULES LOST

The motion of Mr. Collins to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 278, was lost.

Yeas 61; Nays 18.

Yeas:

Mr. Speaker	Collins	Hankins	Rast
Albea	Cook	Hannah	Salter
Bailes	Cooper	Harper	Scurlock
Baker (DeKalb)	Cornett	Hawkins	Sessions
Bassett	Davis	Heflin	Slate
Bethea (M)	Dominick	Hogan	Smith
Bevill	Edington	Locke	Snell
Blanton	Edwards (Escambia)	McDermott	Steagall
Boston	Engel	Meeks	Stembridge
Bowers	Etheredge	Merrill	Sullivan
Branyon	Gilmore	Morrow	Thomas
Brown (Jefferson)	Glass	Owens	Turner (Limestone)
Burnham	Goldthwaite	Paulk	Vacca
Campbell (Jackson)	Goodwyn	Perry	Wood
Campbell (Tuscaloosa)	Grouby	Pierce	Young
Cantrell			

—61

Nays:

Messrs.	Cates	Ingram	NeSmith
Avery	Crawford	Jones (Covington)	Powell
Barnett	Daniel	McCorquodale	Teel
Bolton	Downing	Martin	Turner (Crenshaw)
Casey	Drake	Mashburn	

—18

BILLS ON THIRD READING RESUMED

H. 253. To make it a felony for a public employee openly and knowingly to advocate, justify or practice defiance of any law of this state or of any political subdivision thereof, or to join or participate in or to teach, advise or incite others to join or participate in any conspiracy, combination or agreement to hinder, delay or thwart the enforcement of any such laws, or to use or authorize or permit the use of state property in defying or teaching or inciting others to defy such laws; and to prescribe the penalty therefor.

Was taken up.

Mr. Hannah moved to indefinitely postpone the bill, H. 253.

MOTION TO ADJOURN LOST

The motion of Mr. Perry that the House adjourn until Tuesday, June 25, 1963, at twelve o'clock, noon, was lost.

CONSIDERATION OF H. 253 RESUMED

H. 253. To make it a felony for a public employee openly and knowingly to advocate, justify or practice defiance of any law of this state or of any political subdivision thereof, or to join or participate in or to teach, advise or incite others to join or participate in any conspiracy, combination or agreement to hinder, delay or thwart the enforcement of any such laws, or to use or authorize or permit the use of state property in defying or teaching or inciting others to defy such laws; and to prescribe the penalty therefor.

Was again taken up.

The question was on the motion of Mr. Hannah to indefinitely postpone the bill, H. 253, and said motion was adopted.

Yeas 47; Nays 42.

Yeas:

Messrs.	Campbell (Jackson)	Fields	Paulk
Albea	Campbell (Tuscaloosa)	Gilmore	Perry
Bailes	Carr	Hannah	Powell
Baker (DeKalb)	Casey	Hawkins	Rast
Bevill	Collins	Hogan	Rogers
Blanton	Cooper	Ingram	Scurlock
Bolton	Dominick	McDermott	Sessions
Boston	Downing	Meeks	Smith
Brown (Jefferson)	Drake	Merrill	Snell
Burnham	Edington	Morrow	Teel
Callahan	Edwards (Escambia)	NeSmith	Turner (Limestone)
Camp	Etheredge	Owens	Vacca

—47

Nays:

Mr. Speaker	Davis	Heflin	Pierce
Avery	Doggett	Hester	Salter
Baker (Madison)	Edwards (Lowndes)	Jones (Covington)	Slate
Barnett	Engel	Jones (Monroe)	Steagall
Bethea	Faulk	Little	Stembridge
Branyon	Fite	Locke	Sullivan
Cantrell	Goldthwaite	McCorquodale	Thomas
Cates	Goodwyn	Martin	Turner (Crenshaw)
Cook	Grouby	Moore	Wood
Crawford	Hankins	Nettles	Young
Daniel	Harper		

—42

RESOLUTION

The following resolution was introduced:

By Messrs. Brown (Tuscaloosa), Campbell (Tuscaloosa) and Callahan:

H. J. R. 72. WHEREAS, T-Sgt. Amon Terrell Rushing, who had served honorably in both the Navy and the Air Force of this country for many years, with his wife and three children was on June 3 aboard a chartered plane inroute to a new duty post, which might have been his last before retirement; and

WHEREAS, this plane crashed over the Gulf of Alaska about sixty miles west of Graham Island off the coast of British Columbia and, though Sergeant Rushing had been a member of a team which had rescued many survivors of similar crashes, no such team was able to rescue any of the passengers from this plane, and the whole Rushing family, along with the other members of the Air Force and their families, lost their lives in this fatal crash; and

WHEREAS, both Sergeant and Mrs. Rushing were natives of Tuscaloosa County and each leave survivors in such county; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we lament the tragic death of all these members of the Air Force and their families and particularly our Alabamians, The Rushings. We hereby express our deepest and heartfelt sympathy to their families in this great tragedy.

On motion of Mr. Brown (Tuscaloosa) the rules were suspended and H.J.R. 72 was adopted.

BILLS ON THIRD READING RESUMED

H. 254. To regulate further employment in public service in Alabama; to forbid payment of salaries or other compensation, payable in whole or in part from tax funds of the State, to public employees who openly and wilfully advocate, advise, justify or practice defiance of the laws of this state or any political subdivision thereof or who teach or incite others to defy such laws; to provide procedures for effecting the purposes of this act; and to prescribe penalties.

Was taken up.

On motion of Mr. Nettles, further consideration of the bill, H. 254, was postponed until the next legislative day.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Crawford to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 93, was adopted.

And the bill:

H. 93. (With Amendment). To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Section 1 of H. B. 93 by inserting after the words:

"other than physicians employed by the State Health Department, whose salaries are fixed in accordance with Section 90, Title 22 of this code,"

the following words:

"and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this code, and are paid solely from Federal grants,"

On motion of Mr. Goodwyn the amendment reported by the Standing Committee on Ways and Means was laid upon the table.

Mr. Goodwyn offered the following amendment to the bill, H. 93:

AMENDMENT TO H. B. 93

Amend H. B. 93 by striking therefrom Section 1 of said bill and inserting in lieu therefor the following:

"Section 1. That Title 41, Section 152, Code of Alabama 1940, as last amended by Act No. 1034, Acts of 1961, page 1619, is further amended to read as follows:

When not fixed by law or provided for in the pay plan of the merit system, the Governor is authorized to fix or approve salaries or compensation of officers and employees of the State of Alabama, but no salary or compensation, including those provided for in the pay plan of the merit system for unclassified positions, in the state service, shall be fixed or approved in excess of ten thousand five hundred dollars (\$10,500) per annum, unless a different maximum is fixed by law. The State Personnel Board may provide in the pay plan for officers and employees in the classified service of the state, other than physicians employed by the State Health Department whose salaries are fixed in accordance with Section 9, Title 22 of this Code, as amended, and the Directors of Unemployment Compensation and Employment Service whose salaries are fixed by Section 25, Title 26, of this code, and are paid solely from Federal grants, and employees of the State Docks Department, a maximum salary or compensation not exceeding twelve thousand dollars (\$12,000) per annum, any law now applying to the salary or compensation of specific officers or employees to the contrary notwithstanding; and provided further, where the salary or

compensation of any officer or employee in the exempt or unclassified service is now fixed by law at a lower amount the appointing authority (as defined in the merit system law) may fix the salary or compensation at an amount not exceeding the maximum salary of officers and employees in the unclassified service. The salary or compensation of officers and employees of the State Docks Department who are in the classified service of the state shall be provided for in the pay plan of the merit system without regard to the limitations prescribed herein."

And the amendment was adopted.

Yeas 86; Nays 3.

Yeas:

Mr. Speaker	Collins	Hannah	Pierce
Albea	Cook	Harper	Powell
Bailes	Cooper	Hawkins	Rast
Baker (DeKalb)	Cornett	Hester	Rogers
Baker (Madison)	Crawford	Hogan	Salter
Bassett	Daniel	Jones (Covington)	Scurlock
Bevill	Davis	Jones (Monroe)	Sessions
Blanton	Doggett	Little	Slate
Bolton	Downing	Locke	Smith
Boston	Drake	McCorquodale	Snell
Bowers	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Stambridge
Brown (Tuscaloosa)	Engel	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Callahan	Fields	Merrill	Thomas
Camp	Fite	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Glass	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Nettles	Turnham
Cantrell	Goodwyn	Owens	Vacca
Carr	Grouby	Paulk	Wood
Casey	Hain	Perry	Young
Cates	Hankins		

—86

Nays:

Messrs.	Avery	Barnett	Ingram
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—3

The motion of Mr. Little to postpone further consideration of the bill, H. 93, as amended, until the next legislative day, was lost.

Yeas 36; Nays 46.

Yeas:

Messrs.	Davis	Hogan	Powell
Albea	Doggett	Ingram	Rast
Avery	Edwards (Escambia)	Little	Rogers
Barnett	Edwards (Lowndes)	Locke	Salter
Bethea (M)	Etheredge	McDermott	Sessions
Branyon	Goldthwaite	Martin	Slate
Campbell (Jackson)	Grouby	Moore	Snell
Campbell (Tuscaloosa)	Hankins	Morrow	Sullivan
Carr	Heflin	Perry	Young

—35

Nays:

Mr. Speaker	Casey	Hannah	Pierce
Bailes	Cates	Harper	Pruitt
Baker (DeKalb)	Collins	Hawkins	Scurlock
Baker (Madison)	Cook	Hester	Smith
Blanton	Cooper	Jones (Covington)	Steagall
Bolton	Crawford	McCorquodale	Stembridge
Boston	Daniel	Mashburn	Thomas
Brown (Tuscaloosa)	Downing	Meade	Turner (Crenshaw)
Burnham	Engel	Meeks	Turner (Limestone)
Callahan	Fite	Merrill	Vacca
Camp	Goodwyn	Paulk	Wood
Cantrell	Hain		

—46

MOTION TO ADJOURN LOST

The motion of Mr. Edwards (Escambia) that the House adjourn until Tuesday, June 25, 1963, at twelve o'clock, noon, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 68. Extending an invitation to Mary D. Cain to address a Joint Session of the Legislature on Friday, July 12.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 67. Relative to the adjournment of the two Houses, until Tuesday, June 25, and when they adjourn on Tuesday, June 25, to meet again on Thursday, June 27.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 31. Naming the Alabama State Coliseum the Garrett Coliseum in memory of William Walter Garrett and requesting the Agriculture Center Board to install an appropriate plaque.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 50. Allowing additional compensation to subordinate officers and clerks of the House and Senate.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Oden:

S. J. R. 9. Requesting the Attorney General to Make an Investigation of Licensees under Alabama Small Loan Act

WHEREAS the Alabama Small Loan Act (Act No. 374, H. 102, Regular Session 1959) provides that on loans of \$300 or more made by licensees the special rates and charges authorized by the Act are inapplicable and such loans are governed by the general laws relating to usury; and

WHEREAS other financial institutions & individuals have been reported as making usurious loans; and

WHEREAS numerous licensees are engaged in making loans of more than \$300 and many of them are alleged to be charging excessive interest; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Attorney General and his staff are hereby memorialized and requested to undertake immediately a comprehensive investigation of the practices and procedures of licensees under the Small Loan Act as they relate to loans in excess of \$300, and to take such action as may be indicated or see to it that the loan laws of this State are obeyed and the interest and usury laws are enforced.

BE IT FURTHER RESOLVED That the Superintendent of Banks and the Attorney General be and are hereby requested to investigate all usurious practices within the State of Alabama, and take such action as necessary to enforce the usury laws of the State of Alabama.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 9 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Horton:

S. J. R. 19. WHEREAS, the people of Alabama, through their chief executive, Governor George C. Wallace, have demonstrated clearly before the eyes of the nation that they are law-abiding people; that despite strong feeling and deep conviction to the contrary, they have allowed the integration at the University of Alabama to proceed without one rock being thrown, without one bullet being fired, without one drop of blood being shed; and

WHEREAS, during the recent race riots in Birmingham, despite intense provocation and almost wilful malice, the law-abiding people and the law enforcement officers of that city conducted themselves with marvelous restraint and with iron discipline, and that during the entire course of this potentially violent crisis, the situation was never allowed to deteriorate into one of disorder and chaos; and

WHEREAS, we recognize the rights of any citizen or group of citizens to petition, to demonstrate peacefully, to demand within the confines of the law correction of inequities, to employ any and all legal methods for redress of supposed injustices; but

WHEREAS, in recent weeks in localities scattered over these United States, many Negro citizens have exceeded the bounds of law and order in the airing of their grievances, they have blocked the streets and doorways, they have impeded traffic, both vehicular and pedestrian, they have interfered with the normal channels of commerce, they have taunted and maligned the agents of the law, they have alienated the sympathy and respect of the very ones who can help them; and

WHEREAS, the President of the United States, in his address to the people on the night of June 10, gave tacit approval to these kinds of demonstrations for which white people would be subject to arrest as violators of the law: now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that we humbly beseech the President of the United States, as its chief executive, and the Attorney General of the United States, as its chief law enforcement officer, that they use the power, authority, and influence of their respective offices to bring to an immediate halt all such extra-legal occurrences that violate the basic rights of all citizens to live in peace and go about their daily lives in a normal manner, be they white or black.

BE IT FURTHER RESOLVED that the Secretary of the Senate send a copy of this resolution to the President and the Attorney General of the United States.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The S.J.R. 19 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 50. Relative to a salary increase for Legislative clerks.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO ADJOURN LOST

The motion of Mr. Jones (Covington) that the House adjourn until Tuesday, June 25, 1963, at twelve o'clock, noon, was lost.

Yeas 47; Nays 47.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Harper	Posey
Albea	Carr	Hester	Pruitt
Avery	Casey	Ingram	Rast
Bailes	Collins	Jones (Covington)	Scurlock
Barnett	Davis	Little	Sessions
Bethea (M)	Drake	Locke	Slate
Bevill	Edwards (Escambia)	Meade	Smith
Branyon	Edwards (Lowndes)	Moore	Teel
Brown (Jefferson)	Etheredge	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Goldthwaite	NeSmith	Vacca
Burns	Grouby	Perry	Wood
Callahan	Hankins	Pierce	Young

—47

Nays:

Mr. Speaker	Cates	Gilmore	Merrill
Baker (DeKalb)	Cook	Goodwyn	Nettles
Baker (Madison)	Cooper	Hain	Owens
Bassett	Cornett	Hannah	Paulk
Blanton	Daniel	Hawkins	Rogers
Bolton	Doggett	Heflin	Snell
Boston	Dominick	Hogan	Steagall
Bowers	Downing	Jones (Monroe)	Stembridge
Eurnham	Edington	McCordale	Sullivan
Camp	Engel	McDermott	Thomas
Campbell (Jackson)	Fields	Mashburn	Turner (Crenshaw)
Cantrell	Fite	Meeks	

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CONSIDERATION OF H. 93 RESUMED

H. 93. To provide for and regulate salaries payable to certain state officers and employees in state service, further amending Code of Alabama 1940, Title 41, Section 152, and repealing laws in conflict herewith.

As amended, was again taken up.

And said bill, H. 93, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 16.

Yeas:

Mr. Speaker	Cates	Hain	Owens
Albea	Collins	Hankins	Paulk
Bailes	Cook	Hannah	Perry
Baker (DeKalb)	Cooper	Hawkins	Pruitt
Baker (Madison)	Cornett	Heflin	Rogers
Bassett	Crawford	Hester	Salter
Bevill	Daniel	Hogan	Scurlock
Blanton	Doggett	Jones (Covington)	Slate
Bolton	Downing	Jones (Monroe)	Smith
Boston	Drake	Locke	Snell
Branyon	Edington	McCorquodale	Steagall
Brown (Jefferson)	Edwards (Escambia)	McDermott	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Martin	Sullivan
Burnham	Engel	Mashburn	Thomas
Burns	Etheredge	Meade	Turner (Crenshaw)
Callahan	Faulk	Meeks	Turner (Limestone)
Camp	Fite	Merrill	Vacca
Campbell (Jackson)	Gilmore	Morrow	Wood
Campbell (Tuscaloosa)	Glass	Nettles	Young
Cantrell	Goodwyn		

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Nays:

Messrs.	Carr	Goldthwaite	Moore
Avery	Casey	Grouby	NeSmith
Barnett	Davis	Ingram	Pierce
Bethea (M)	Dominick	Little	Rast
Bowers			

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RESOLUTION

The following resolution was introduced:

By Mr. Jones (Monroe):

H. J. R. 73. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the resolution, HJR 31, which has passed both houses be designated and known as "The Fite, Jones (Monroe), Martin and Cooper (Wilcox) Resolution."

On motion of Mr. Jones (Monroe) the rules were suspended and H.J.R. 73 was adopted.

MOTION TO RECONSIDER TABLED

The motion of Mr. Goodwyn to lay on the table the motion of Mr. Jones (Covington) to reconsider the vote by which the bill, H. 93, as amended, was passed, was adopted.

Yeas 44; Nays 37.

Yeas:

Mr. Speaker	Camp	Fite	Meeks
Albea	Campbell (Jackson)	Goodwyn	Merrill
Baker (DeKalb)	Cates	Hain	Morrow
Baker (Madison)	Collins	Hankins	Nettles
Blanton	Cook	Hawkins	Owens
Bolton	Crawford	Heflin	Paulk
Branyon	Downing	Hester	Sessions
Brown (Tuscaloosa)	Drake	McCorquodale	Smith
Burnham	Edwards (Escambia)	McDermott	Steagall
Burns	Engel	Mashburn	Turner (Crenshaw)
Callahan	Etheredge	Meade	Vacca

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Nays:

Messrs.	Carr	Goldthwaite	Perry
Avery	Casey	Grouby	Powell
Bailes	Cooper	Hannah	Rast
Barnett	Daniel	Harper	Salter
Bethea (M)	Davis	Hogan	Scurlock
Boston	Dominick	Ingram	Slate
Bowers	Edington	Jones (Covington)	Snell
Brown (Jefferson)	Edwards (Lowndes)	Moore	Sullivan
Campbell (Tuscaloosa)	Fields	NeSmith	Teel
Cantrell	Gilmore		

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CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 11:35 A.M. On June 21, 1963

H.J.R. 54

H.J.R. 56

H.J.R. 57

H.J.R. 58

H.J.R. 59

H.J.R. 60

H. 5

H. 29

H. 30

H. 31

H. 59

H. 62

H. 63

H. 65

H. 111

H. 114

H. 115

H. 116

H. 117

H. 129

H. 138

H. 146

H. 147

H. 172

H. 215

H. 216

H. 233

H. 234

H. 238

H. 245

Delivered to the Secretary of State at 11:42 A.M. On June 21, 1963

H. 144

Delivered to the Governor at 2:35 P.M. On June 21, 1963

H.J.R. 50

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Smith, and in accordance with H.J.R. 67 heretofore

adopted, the House adjourned until Tuesday, June 25, 1963, at twelve o'clock, noon.

Yeas 52; Nays 43.

Yeas:

Messrs.	Casey	Hawkins	Pruitt
Avery	Collins	Hester	Rast
Bailes	Cook	Ingram	Salter
Barnett	Davis	Little	Scurlock
Bethea (M)	Downing	Locke	Sessions
Blanton	Drake	Martin	Slate
Bolton	Edwards (Escambia)	Meade	Smith
Branyon	Edwards (Lowndes)	Morrow	Steagall
Brown (Jefferson)	Etheredge	NeSmith	Stembridge
Brown (Tuscaloosa)	Fite	Owens	Teel
Burns	Goldthwaite	Perry	Turner (Limestone)
Camp	Hankins	Posey	Vacca
Campbell (Tuscaloosa)	Harper	Powell	Wood
Carr			

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Nays:

Mr. Speaker	Cates	Glass	Mashburn
Albee	Cooper	Goodwyn	Meeks
Baker (DeKalb)	Cornett	Grouby	Merrill
Baker (Madison)	Crawford	Hain	Moore
Bassett	Daniel	Hannah	Nettles
Bevill	Doggett	Heflin	Paulk
Boston	Dominick	Hogan	Rogers
Bowers	Edington	Jones (Covington)	Snell
Burnham	Engel	Jones (Monroe)	Sullivan
Campbell (Jackson)	Fields	McCorquodale	Turner (Crenshaw)
Cantrell	Gilmore	McDermott	

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SEVENTEENTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, June 25, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend W. G. Barnes, retired Methodist Minister, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

REGULAR SESSION

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Mr. Speaker	Collins	Hannah	Paulk
Albea	Cook	Harper	Pennington
Avery	Cooper	Hawkins	Perry
Bailes	Cornett	Heflin	Pierce
Baker (DeKalb)	Crawford	Hester	Powell
Baker (Madison)	Daniel	Hogan	Pruitt
Barnett	Davis	Holladay	Rast
Bassett	Doggett	Ingram	Reynolds
Bethea (B)	Dominick	Jones (Covington)	Rogers
Bethea (M)	Downing	Jones (Monroe)	Salter
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Boston	Edwards (Lowndes)	McDermott	Smith
Bowers	Engel	McDermott	Snell
Branyon	Etheredge	Martin	Steagall
Brown (Jefferson)	Faulk	Mashburn	Stembridge
Brown (Tuscaloosa)	Fields	Meade	Sullivan
Burnham	Fite	Meeks	Teel
Burns	Gilmore	Merrill	Thomas
Callahan	Glass	Moore	Turner (Crenshaw)
Camp	Goldthwaite	Morrow	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Nabors	Turnham
Campbell (Tuscaloosa)	Grouby	NeSmith	Vacca
Cantrell	Hain	Nettles	Wood
Casey	Hankins	Owens	Young
Cates			

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. NeSmith leave of absence was granted to Mr. Carr because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the sixteenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the sixteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the sixteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON WAYS AND MEANS

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report.

H. 549. To amend Code of Alabama 1940, Title 46, Section 24, as amended; to provide further for a secretary of the State Bar and Board of

Commissioners of the State Bar; to prescribe his duties and to provide for his compensation.

The motion of Mr. Turner (Crenshaw) to recommit the bill, H. 549, was adopted.

And the Speaker recommitted the bill, H. 549, to the Standing Committee on Ways and Means.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

H. 569. To authorize the Governor of Alabama, the Highway Director and the Director of Finance to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds; and shall not create an obligation or debt of the state; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bond will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

H. 564. To make an appropriation from the general fund in the state treasury to the use of the board of trustees of Auburn University for certain capital outlay purposes.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 511. To authorize the Governing Body of DeKalb County Alabama to pay the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to RICHARD SMITH ADKINS out of the General Fund of said County or out of such other funds as may be available for the payment of Deputy Sheriffs' salaries of DeKalb County, Alabama; as may be determined by the County Commission for medical expenses and other costs in connection with the injuries received by the said RICHARD SMITH ADKINS, while acting as Deputy Sheriff of DeKalb County, Alabama in the line of duty, in an automobile accident in DeKalb County.

H. 547. To provide for the compensation of jurors in Choctaw County.

H. 548. To regulate further the compensation and allowances of election officers in Choctaw County.

H. 550. To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

H. 551. To regulate further teacher tenure and status in the public schools of Crenshaw County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the county, and repealing as to Crenshaw County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

H. 552. Relating to the superintendent of education of Crenshaw County; providing for his appointment, qualifications, compensation and allowances; repealing Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), and all other conflicting laws.

H. 553. Relating to Crenshaw County; amending further Act No. 502, H. 916, Regular Session 1947, (Local Acts 1947, p. 340) an act providing for the compensation of members of the court of county commissioners.

H. 555. Relating to counties having populations of not less than 15,500 nor more than 16,300; vesting in the probate courts of such counties the civil jurisdiction of justice of the peace courts.

H. 558. To provide for the compensation of county or deputy solicitors in counties having populations of not less than 15,000 nor more than 15,300.

H. 566. Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties.

H. 567. Proposing a constitutional amendment relating to Marion County.

The above bill was read a second time at length as required by the Constitution.

H. 594. Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County, Alabama.

H. 595. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of expense allowances to members of the county governing body.

H. 596. To authorize and direct the county board of education in all counties having populations of not less than 21,850 nor more than 21,950, according to the most recent federal decennial census, to fix the salary and expense allowance of the county superintendent of education at amounts not less than the salaries and expenses paid to certain other employees of the board.

H. 600. To repeal Act No. 47, H. 70, Second Special Session 1963, relating to counties having populations of not less than 15,300 nor more than 15,400.

H. 601. To provide an expense allowance for members of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 15,300 nor more than 15,400, according to the last or any subsequent federal decennial census; giving the Act limited retroactive effect.

H. 603. Relating to cities having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census, providing an expense allowance for the mayor and city commissioners of such cities.

H. 604. To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

S. 89. To regulate the compensation and allowances of members of the board of education of Marshall County and provide for the payment thereof.

S. 110. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

S. 119. To amend Section 2 of Act No. 114, H. 159, Special Session 1962, providing for compensation and expense allowances for members of the county board of education of counties of not less than 46,600 nor more than 49,050 population, so as to fix the mileage allowance for authorized travel of members at eight cents per mile.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 559. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

H. 560. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and all certain other territory in Jefferson County, Alabama, contiguous to said city.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 578. To repeal Act No. 39, H. 67, Special Session, 1962 (Acts 1962, p. 60) entitled "An Act relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city."

H. 579. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Thomas:

H. 607. To provide for a mineral resources survey of the Choctaw-hatchee-Pea River basin and the Escambia-Conecuh River basin counties, and making an appropriation for the purpose.

Ways and Means.

By Mr. Salter:

H. 608. To amend Section 4 of Act No. 365 (H. 382) of the Legislature of 1947, approved August 16, 1947, (General Acts of 1947, p. 251) which Act provides for an alternate method of paying and collecting the stamp tax or fee on sales of commercial fertilizer, such amendment to Section 4 thereof to dispense with the requirement that monthly reports of sales shall be under oath.

Ways and Means.

By Mr. Steagall:

H. 609. Relating to civil remedies and procedures; to provide further for the filing, and for the service of pleadings and other papers upon opposing parties or upon their counsel, in civil actions.

Judiciary.

By Messrs. Steagall, Turnham, Cooper, Cornett, Nabors, Harper, Slate, Hannah, Hain, Thomas, Young, Faulk, Goodwyn, Bolton, Brown (Jefferson), Boston and Moore:

H. 610. To fix the compensation of Circuit Solicitors Payable from the State Treasury.

Ways and Means.

By Mr. NeSmith (With Notice and Proof):

H. 611. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

Local Legislation No. 1.

Notice and Proof H. 611:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Blount County; abolishing the board of finance and con-

trol created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of finance and control of Blount County created by Act No. 334, H. 954, approved September 2, 1955, is abolished, and in lieu thereof there is hereby restored and re-established in Blount County a court of record styled the court of county commissioners of Blount County, which shall be composed of the judge of probate as principal judge, and four commissioners who shall be elected as hereinafter provided.

Section 2. One county commissioner shall be elected from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Blount County. A candidate for county commissioner must be a qualified elector and legal resident of the district he seeks to represent and shall continue to reside therein during his continuance in office. Commissioners from districts one and three shall be elected at the general election to be held in 1966, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1964, and every four years thereafter. The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 3. The present four associate members of the board of finance and control of Blount County shall serve as county commissioners of the court of county commissioners of Blount County until their successors are elected and qualified as herein provided.

Section 4. Each commissioner elected under the provisions of this Act shall receive as compensation for the services rendered in his capacity as commissioner a salary of three thousand dollars (\$3,000) per annum, payable in equal monthly installments, plus mileage at the rate of seven cents (\$.07) per mile for each mile traveled on official county business, but the mileage provided herein shall not exceed fifty dollars (\$50.00) per month. A part of the commissioners' salaries may be paid out of the county gasoline tax revenues, provided that the part of such salaries so paid out of county gasoline tax revenues shall bear the same proportion to the total salary paid to such commissioner as the time devoted by such commissioner to supervising, inspecting, accepting, building, or repairing county roads and bridges bears to the total time devoted by such commissioner to all his duties as a member of the court of county commissioners. The court of county commissioners shall determine the proportion of such salaries to be paid out of county gasoline revenues. The judge of probate of Blount County shall be entitled to the compensation provided by law for judges of probate who serve as principal judge of courts of county commissioners.

Section 5. The court of county commissioners of Blount County shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this State, or vested in the governing body of Blount County by local law; and the members of the court of county commissioners shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this State for the members of courts of county commissioners, boards of revenue, or like county governing bodies, or for the members of the governing body of Blount County by local law.

Section 6. All laws or parts of laws in conflict with this Act are repealed; and Act No. 334, H. 954, approved September 2, 1955, which created the board of finance and control of Blount County, is expressly repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. The substantial provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount County who vote in a referendum to be held on the same day as the first county-wide election held after the date of this enactment. The board of finance and control of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the referendum the question shall be stated substantially as follows: "Shall the provisions of Act No. _____ of the 1963 Regular Session of the Legislature, which abolishes the board of finance and control of Blount County and recreates and re-establishes in lieu thereof a court of county commissioners for Blount County, be adopted? (Yes) (No)." If the majority of the votes cast at the referendum are "yes," all the provisions of this Act shall become operative immediately. If the majority of the votes cast are "No," the Act shall have no further effect. The judge of probate of Blount County shall certify the results of the election to the Secretary of State of Alabama within thirty days after the result thereof has been ascertained.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me June 20, 1963.

MOLLY RYAN,
Title Notary Public.

By Mr. NeSmith (With Notice and Proof):

H. 612. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Blount County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Notice and Proof H. 612:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Blount County; to prescribe the fees for such licenses, provide for their collection and distribution and to prescribe penalties for violation of this Act.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person, firm, or corporation desiring to operate a hunting or shooting preserve in Blount County on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the director of conservation governing the operation of hunting preserves.

Section 2. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land including water area, if any, and shall be restricted to not more than 1,000 contiguous acres including water, if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state director of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the director of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "LICENSED HUNTING PRESERVE," and such other words as the director of conservation may prescribe. No hunting preserve shall be located within one mile of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which the shooting of turkeys is authorized.

Section 3. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bob-white quail, coturnix quail, pheasants, chucker partridge, and such other species of fowl as the director of conservation shall designate. A minimum stock of at least 1,000 bob-white quail, if bob-white quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 4. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve shall first file a request with a local state game warden, or with the state department of conservation, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the department of conservation he shall have a permit issued

to him to procure a license to operate such hunting preserve. Upon presentation to the judge of probate of the county in which the preserve is located of a permit from the department of conservation, dated not more than thirty days prior to its presentation, accompanied by the proper license fee prescribed in this section and an issuance fee of fifty cents, the judge of probate of any county to which this Act applies shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the director of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation.

Section 5. The holder of a license issued pursuant to this Act, his guest, and patrons may hunt, take, capture, kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed or otherwise recovered on such preserve and the bag limits shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months. nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 6. Bob-white quail and coturnix quail shall be tagged with self-sealing tag prior to being released on the preserve. The operators of hunting preserves shall cooperate in other request which the director of conservation might make for scientific investigations. The Alabama Department of Conservation shall specify tags which hunting preserve operators shall use, the tags to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

Section 7. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be open to inspection by any duly authorized representative of the state department of conservation at any reasonable time, and shall be the basis upon which the bag limits and hunting seasons in section 6 hereof shall be determined.

Section 8. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.

Section 9. Duly authorized agents of the state department of conservation, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves either by the owner, guests, or patrons of such preserves shall be grounds for revocation of the hunting preserve license; and the director of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 10. Any person, firm, or corporation who operates a licensed hunting preserve in violation of any provision of this Act or a duly promulgated rule of the director of conservation relative to the operation thereof shall be guilty of a misdemeanor; and upon conviction shall be

punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the SOUTHERN DEMOCRAT, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, and notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me June 20, 1963.

MOLLY RYAN,
Title Notary Public.

By Mr. Powell:

H. 613. To appropriate out of any funds in the state treasury to the credit of the General Fund, not otherwise appropriated, the sum of Ten Thousand Dollars (\$10,000) to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, to be used only for the purchase of lands for the development and restoration of the Fort Toulouse Site in Elmore County, Alabama, and to pay the costs of litigation relating thereto, and to provide for the lease, sale, swap, exchange, transfer or other disposition of such lands to the United States Government without consideration.

Ways and Means.

By Mr. Powell:

H. 614. To repeal subsection H. of Section 214, Title 26, Code of Alabama 1940, which relates to a disqualification for benefits under the unemployment compensation act (5 Code of Alabama 1955 Cumulative Pocket Part 265).

Judiciary.

By Messrs. Avery, Cates, Davis, Reynolds, Owens and Young:

H. 615. To fix the pay of election officers; repealing conflicting laws.

Ways and Means.

By Mr. Crawford:

H. 616. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

Ways and Means.

By Mr. Stembridge:

H. 617. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

Local Legislation No. 1.

By Mr. Hankins:

H. 618. To amend further Code of Alabama 1940, Title 7, Section 718, which relates to the rates to be charged for publication of legal notices.

State Administration.

By Mr. Hankins:

H. 619. To amend Section 2 of Act No. 793, S. 117, Regular Session 1953, an act establishing the maximum rate which newspapers may charge for the publication of legal notices.

State Administration.

By Mr. Fite:

H. 620. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

Ways and Means.

By Mr. Fite:

H. 621. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

Ways and Means.

By Messrs. Downing, Turner (Crenshaw), Owens, Baker (Madison), Reynolds, Smith, Wood, Doggett and Nettles:

H. 622. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

State Administration.

By Messrs. Downing, Turner (Crenshaw), Owens, Baker (Madison), Reynolds, Smith, Wood, Doggett and Nettles:

H. 623. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

State Administration.

The above bill was read a first time at length as required by the Constitution.

By Mr. Downing:

H. 624. To amend Sections 154, 169, 178 and 179 of Article 2, Chapter 5, of Title 37, Alabama Code of 1940, which relates to extension of limits of cities of twenty-five thousand inhabitants or more and the rights, powers and duties of cities whose limits are so extended.

Local Government.

By Messrs. Edington, Downing, Smith, Fields, Rogers and Engel (With Notice and Proof):

H. 625. To amend Act No. 893, H. 1270, approved September 8, 1961 (Acts of Alabama, 1961, p. 1406), entitled "An Act Relating to Mobile County: To Fix the compensation of the clerk of the Circuit Court of Mobile County."

Local Legislation No. 3.

Notice and Proof H. 625:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 893, H. 1270, approved September 8, 1961, (Acts of Alabama, 1961, p. 1406), entitled "An Act Relating to Mobile County: To Fix the compensation of the clerk of the circuit court of Mobile County".

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 893, H. 1270, approved September 8, 1961 (Acts of Alabama, 1961, p. 1406), entitled "An Act Relating to Mobile County: To Fix the compensation of the clerk of the circuit court of Mobile County", is amended to read as follows:

"Section 3. This Act shall become effective at the beginning of the term of office of the clerk of the circuit court who is elected in 1964."

W. F. Egan, being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in

the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 24, 31 June 7, 14 1963.

W. F. EGAN.

Sworn to and subscribed before me This 20th day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Edington, Engel, McDermott, Hogan, Rogers and Downing:

H. 626. To provide further for the adoption of children, amending Code of Alabama 1940, Title 27, Section 2.

Public Welfare.

By Messrs. Edington, Fields, McDermott, Rogers, Smith, Hogan and Downing:

H. 627. Relating to the power of cities having populations of not less than 200,000 and not more than 300,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Local Legislation No. 3.

By Messrs. Edington, Engel, McDermott, Hogan, Rogers and Downing:

H. 628. To provide for the adoption of adults, and to validate or confirm certain prior adoption proceedings.

Judiciary.

By Mr. McDermott:

H. 629. Relating to counties having populations of not less than 225,000 nor more than 500,000, providing civil service or merit system status for chiefs of police of all cities and towns located in such counties, repealing conflicting laws.

Local Legislation No. 3.

By Messrs. Rogers, Goodwyn and Edington:

H. 630. To amend further Code of Alabama 1940, Title 17, Section 272, in relation to the amount of campaign expenditures allowed candidates under the corrupt practices act.

State Administration.

By Messrs. Rogers and Edington:

H. 631. Relating to elections; amending Code of Alabama 1940, Title 17, Sections 413 and 416, which relate to mass meetings or beat meetings, so as to provide for notice of such meetings and to prescribe penalties for persons who are not qualified voters who participate in such meetings.

Constitution and Elections.

By Messrs. Goodwyn, Perry, Engel, Fite and Avery:

H. 632. For the relief of Eddie Lee Bennett; making an appropriation of highway department funds to compensate him for personal injuries suffered by him while he was engaged in the performance of his regularly assigned duties as a convict leased to the State Highway Department by the State Board of Corrections.

Ways and Means.

By Messrs. Goodwyn, Pierce, Turner (Crenshaw), Brewer, Rast, Little, Daniel, Rogers, Jones (Monroe), Nettles, Goldthwaite, Jones (Covington) and Thomas:

H. 633. To establish a sub-committee of the Alabama State Board of Education to give special study and consideration to and make recommendations to the State Board of Education concerning all matters requiring action of the State Board of Education pertaining to Vocational Education.

State Administration.

By Messrs. Goodwyn, Stembridge, Harper, Meade, Owens, Brewer, Baker (Madison), Snell, Burns, Moore, Nabors, Burnham, Camp, Downing, Turner (Crenshaw), Sessions, Pierce, Grouby and Drake:

H. 634. To provide for the uniform disposition of unclaimed and abandoned tangible and intangible personal property including a definition of terms, property held by banking or financial institutions, unclaimed funds held by insurance companies, deposits and refunds held by utilities, undistributed dividends and distributions of business associations, property of business associations and banking or financial organizations held in course of dissolution, property held by fiduciaries, property held by Federal Courts and Federal officers and agencies, miscellaneous personal property held for another person; to provide for reciprocity for property presumed abandoned or escheated under the laws of another state; to provide for the report of abandoned property; to provide for the notice and publication of lists of abandoned property; to provide for the payment or delivery of abandoned property to the Commissioner of Revenue; to provide for the relief from liability to the holder by payment or delivery to the Commissioner of Revenue; to provide that no income shall accrue after payment or delivery to the Commissioner of Revenue; to provide that periods of limitation shall not be a bar to recovery by the Commissioner of Revenue or the duty to file reports; to provide for the sale of abandoned property; to provide for the deposit and disposition of funds; to provide for the claim for abandoned property paid or delivered; to provide for the determination of claims by the Commissioner of Revenue; to provide for judicial action or review; to provide for election by the Commissioner of Revenue to take payment or delivery in certain cases; to provide for the examination of records; to provide for judicial proceedings to compel payment or delivery; to prescribe penalties; to provide for the administration and enforcement of the Act by the Commissioner of Revenue and the State Department of Revenue; to provide for the effect of laws of other states; to provide for the severability of this Act; to provide for the uniformity of interpretation of this Act; to provide for a short title of this Act; to repeal conflicting laws; and to provide an effective date for this Act.

Ways and Means.

By Mr. Sullivan:

H. 635. Relating to state revenue, providing further for the assess-

ment, levy and collection of estate taxes upon property subject to Alabama taxation, repealing conflicting laws.

Ways and Means.

By Mr. Sullivan:

H. 636. To propose an amendment to the Constitution of Alabama further prescribing the rate of levy of estate taxes; repealing conflicting provisions of the Alabama Constitution.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Fite:

H. 637. To amend further Code of Alabama 1940, Title 28, Section 321 in relation to the net premiums to be charged by the state insurance fund.

Ways and Means.

By Mr. Bethea (B):

H. 638. To repeal Act No. 4, H. 62, Second Special Session 1956 (Acts 1956, p. 240) relating to the powers of municipalities in this state having a population of not less than 23,000 nor more than 100,000, according to the last or any subsequent federal census.

Local Government.

By Messrs. Camp, Bolton, Bethea (M) and Turnham:

H. 639. Relating to cities having a population of not less than 16,000, nor more than 26,000, according to the 1960 or any subsequent decennial census of the population of the United States; changing the method of electing, the designation of, and fixing the term of office of, members of the Board of Commissioners of any such city.

Local Legislation No. 1.

By Messrs. Bolton and Camp:

H. 640. To apply in all counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of the Clerk of the Jury Commission in all such counties.

Local Legislation No. 1.

By Messrs. Bolton and Camp:

H. 641. Relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers.

Local Legislation No. 1.

By Mr. Callahan (With Notice and Proof):

H. 642. To alter, rearrange, and extend the boundary lines of the City

of Tuscaloosa, in Tuscaloosa County, Alabama, so as to exclude from the corporate limits of said city certain property therein described.

Local Legislation No. 1.

Notice and Proof H. 642:

NOTICE is hereby given that a Bill substantially as follows will be introduced in the Legislature of Alabama, and a request made for its passage.

**A BILL
TO BE ENTITLED
AN ACT**

To alter, rearrange, and extend the boundary lines of the City of Tuscaloosa, in Tuscaloosa County, Alabama, so as to exclude from the corporate limits of said city certain property therein described.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Tuscaloosa in Tuscaloosa County, Alabama, are hereby altered, rearranged and changed so as to exclude from the corporate limits of said city all of the following described real estate located in Tuscaloosa County, Alabama, viz:

Begin at the Northwest corner of the Southeast One-fourth of the Southwest One-fourth of Section 28, Township 21, South, Range 9 West, which point is the Northeast corner of this parcel of property thence run in a Western direction along the Southern boundary line of the United States Veterans Administration Hospital and the North boundary line of the Southwest One-fourth of the Southwest One-fourth of said section 28 for a distance of 1054.1 feet to a point which is the Northeast corner of this parcel of property; thence turn left 93 degrees 25 minutes and run in a Southern direction (making the inside angle of 87 degrees 16 minutes) for a distance of 429.8 feet to a point on the Northeast boundary line of the right-of-way of Pelham Heights Road; thence run in a Southeastern and Eastern direction along the Northeastern and Northern boundary line of Pelham Heights Road to a point on the East boundary line of the Southwest One-fourth of the Southwest One-fourth of said Section 28; thence run in a Northern direction along the East boundary line of the Southwest One-fourth of the Southwest One-fourth of said Section 28 for a distance of 294.9 feet to the point of beginning (making an inside angle of 91 degrees 54 minutes).

Section 2. All laws or parts of laws, both general, special or local in conflict with this Act are hereby expressly repealed

Section 3. This Act shall take effect on the 1st day of October following its passage and approval by the Governor, or its otherwise becoming law.

**STATE OF ALABAMA
TUSCALOOSA COUNTY**

I hereby certify that the attached notice was published in Graphic, a newspaper published in and having a general circulation in the City and County of Tuscaloosa, Alabama, once a week for four consecutive weeks; viz January 24, January 31, February 7, and February 14, 1963.

**BETTY PEARY,
Legal Clerk.**

Subscribed and sworn to before me on this the 21st day of May, 1963.

KARL S. ELEBASH, JR.,
Notary Public.

By Messrs. Scurlock and Bevill:

H. 643. To amend further Code of Alabama 1940, Title 19, Section 11, which relates to the appointment of commissioners in condemnation proceedings, so as to delete therefrom a proviso applicable to counties having populations of not less than 51,000 nor more than 56,000.

Local Legislation No. 1.

By Messrs. Goodwyn, Pierce, Little, Goldthwaite, Nettles, Turner (Crenshaw), Glass, Edwards (Lowndes), Daniel, Paulk, Turnham, Steagall, Hain, Blanton, Jones (Monroe), Cornett, Grouby, Salter and Cooper:

H. 644. To make an appropriation from the state treasury in aid of the annual fat stock show held at the Alabama state coliseum by FFA and 4-H clubs.

Ways and Means.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 645. To revise and amend Chapter 2 of Title 36 of the Code of Alabama (1940), relating to registration and license of drivers.

Transportation.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 646. To revise and amend Section 90 of Title 14 of the Code of Alabama (1940) relating to the possession of burglarious instruments.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 647. To revise and amend Section 428 of Title 13, Code of Alabama (1940) which relates to appeal to Circuit Court from justice of the peace.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 648. To revise and amend Section 74 (48) of Title 36 of the Code of Alabama, 1940, relating to the duration of suspension.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 649. To revise and amend Section 74 (46) of Title 36 of the Code of Alabama, 1940, all of which relates to security required, suspension of licenses and registrations under the Motor Vehicle Safety-Responsibility Act.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 650. To make unlawful the staking, tying, hobbling or pasturing of livestock upon the right-of-way of any highway and to provide for the impounding of any livestock so staked, tied, hobbled, or pastured, and to provide a penalty for any person staking, tying, hobbling or pasturing any livestock on the right-of-way of any highway.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 651. To revise and amend Chapter 1 of Title 36 of the Code of Alabama (1940), relating to restrictions upon speed of motor vehicles upon certain highways.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 652. To revise and amend Section 128 of Title 36 of the Code of Alabama, 1940, relating to the duties of the driver of a vehicle involved in an accident resulting in personal injury or death or damage to vehicle.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 653. To revise and amend Section 2, Title 36, Code of Alabama (1940) relating to persons under the influence of intoxicating liquor or narcotic drugs.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 654. To provide that all motor vehicles entering an Interstate Highway or limited access highway shall yield the right of way to vehicles traveling upon such highway.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 655. Regulating stopping of vehicles on the highways, and providing for the removal of abandoned or unattended vehicles or other property.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 656. To prohibit the false personation of a peace officer of this state and to provide a penalty therefor.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 657. Relating to motor vehicles providing for and making it unlawful to cause or increase a traffic hazard by opening vehicle doors.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 658. To revise and amend Section 74 (56) of Title 36 of the Code of Alabama, 1940, all of which relates to payments sufficient to satisfy requirements under the Motor Vehicle Safety-Responsibility Act.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 659. To prohibit any assault upon a peace officer in the lawful performance of his duty and to provide a penalty therefor.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 660. To revise and amend Section 388 of Title 13 of the Code of Alabama, all of which relates to the giving of bond by a justice of the peace before entering upon the duties of his office.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 661. To revise and amend Chapter 3, Section 89 (b) of Title 36, Code of Alabama (1940) relating to size of vehicle.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 662. To revise and amend Section 35 of Title 36 of the Code of Alabama (1940), relating to the brakes of motor vehicles.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 663. To amend and revise Section 171 of Title 14, Code of Alabama (1940) all of which relates to shooting, throwing missiles into, at, etc., dwelling and other houses.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 664. To revise and amend Section 58 (34) of Title 36 of the Code of Alabama (1940), relating to the safety glazing material in motor vehicles.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 665. To repeal Section 5 (4) Title 36, Code of Alabama (1940) as amended.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 666. To prohibit mutilation or reproduction of a driver license or substitute therefor.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 667. Prohibiting the transfer of Driver license.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 668. Regulating the reinstatement of driving privilege after revocation.

Judiciary.

By Messrs. Turner (Crenshaw) and Hawkins:

H. 669. To revise and amend Section 68 of Title 36 of the Code of Alabama, 1940, relating to the cancelling, suspending or revoking of license or driving permit.

Judiciary.

RESOLUTION

The following resolution was introduced:

By Mr. Powell:

H. J. R. 74. WHEREAS our children are the greatest and most indispensable asset of our state and nation; and

WHEREAS the Elmore County Band composed of one hundred sixteen members recently returned from the week long Virginia Beach Music Festival where they won first place in all three categories entered: concert playing, sight reading, and football show marching; and

WHEREAS these honors attest to the unusual ability, sustained effort and practice, and discipline of character necessary to accomplish this feat; and all of these qualities were duly recognized by the exacting contest judges: Dr. Paul Yoder, president of the American Bandmaster Association; Colonel Harold Bachman, band director of the University of Florida; and Mr. Roy Wood, past president of the Florida Music Education Association; and

WHEREAS these young people not only portrayed musical excellence, but also conducted themselves in such a manner as to merit favorable and admiring comment from all sides to the end that they have been invited to **return as the honor band for exhibition playing next year and have also** received an invitation to play in concert at the Washington, D. C. Cultural Center; and

WHEREAS the Elmore County Band was assisted in achieving this standard of excellence in large part through the skillful leadership of its director, Mr. Truman Welch, and his able assistants, Mr. Ben Carlton and Mr. Edd Jones and was enabled to make the trip through the many contributions and sacrifices of families and friends who realize the importance of encouraging our young people in such purposeful activities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That we congratulate the Elmore County Band on its excellence of performance, and the manner in which it conducted itself so as to bring honor to itself, its county and our state.

BE IT FURTHER RESOLVED, That we commend and thank the band director, his assistants, the families, friends, chaperones and all those who helped make this well deserved trip possible.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to each of the following: The Tallassee Tribune, The Wetumpka Herald, Radio Station W. E. T. U., Radio Station W. T. L. S., Band Director George Truman Welch, Assistant Director Ben Carlton, Assistant Director Edd Jones, and each of the one hundred sixteen band members.

On motion of Mr. Powell the rules were suspended and H.J.R. 74 was adopted.

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Perry to reconsider the vote by which the bill, H. 253, was indefinitely postponed, was adopted.

Yeas 62; Nays 32.

Yeas:

Mr. Speaker	Daniel	Harper	Nettles
Avery	Davis	Hawkins	Perry
Baker (Madison)	Doggett	Heflin	Pierce
Barnett	Downing	Hester	Pruitt
Bethea (B)	Edwards (Escambia)	Hogan	Rast
Bethea (M)	Edwards (Lowndes)	Jones (Covington)	Rogers
Blanton	Engel	Jones (Monroe)	Scurlock
Bowers	Etheredge	Little	Sessions
Branyon	Faulk	Locke	Steagall
Brown (Jefferson)	Fite	McCorquodale	Stembridge
Callahan	Gilmore	Martin	Sullivan
Cantrell	Goldthwaite	Mashburn	Turner (Crenshaw)
Cates	Goodwyn	Meeks	Turner (Limestone)
Cook	Grouby	Moore	Vacca
Cornett	Hain	Morrow	Wood
Crawford	Hankins		

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Nays:

Messrs.	Campbell (Jackson)	Fields	Paulk
Albea	Campbell (Tuscaloosa)	Hannah	Pennington
Bailes	Casey	Ingram	Powell
Baker (DeKalb)	Collins	McDermott	Reynolds
Bolton	Cooper	Merrill	Slate
Boston	Dominick	Nabors	Teel
Burnham	Drake	NeSmith	Turnham
Burns	Edington	Owens	Young
Camp			

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H. 253 POSTPONED

On motion of Mr. Nettles, further consideration of the bill, H. 253, was postponed until the twentieth legislative day.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Rast, Perry, Morrow, Etheredge, Locke and Sessions:

H. J. R. 75. WHEREAS, Dean Charles Manfred Thompson, dean emeritus of the University of Illinois College and Commerce and Business died on June 21, 1963 after having carved an illustrious career both in the academic world and in public service; and

WHEREAS, the life of Dean Thompson has been called a saga of America, a life unparalleled in its accomplishments and service, and in the period when the nation's most respected figures were business men, he assumed almost oracular proportions; and

WHEREAS, Dean Thompson will long be remembered with affection and gratitude by thousands of students whose lives were influenced by his teaching and wise counsel, many having been inspired to goals and achievements which cannot be fully chronicled but which will always be held in the hearts of many men who were influenced by him; and

WHEREAS, Dean Thompson's mind was one of exceptional capacity, able to recall a prodigious array of facts with a depth of insight that sorted them quickly into proper perspective and seasoned them with a priceless sense of humor, making him a highly revered and sought after advisor to all; and

WHEREAS, Dean Thompson's many accomplishments, lists of services, and academic honors would fill pages of history, he is best known to many friends in this state through his teachings and his fraternal associations, having been the last living founder of Phi Eta Sigma, freshman honor society to which he devoted forty years of active service, having served continuously as Grand President since 1939, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we learn with the deepest regret of the passing of Dean Charles Manfred Thompson and extend our sincerest sympathy to his family.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to his son Mr. Joseph M. Thompson, 1005 S. Westlawn C, Champaign—Urbana, Illinois, and to Dean James E. Foy, Grand Secretary of Phi Eta Sigma at Auburn University, and to the Phi Eta Sigma Chapter at the University of Alabama.

On motion of Mr. Rast the rules were suspended and H.J.R. 75 was adopted.

Also:

By Mr. Pruitt:

H. J. R. 76. WHEREAS, the Honorable Aubrey DeWitt Green has rendered outstanding service to this State as a member of the Legislature; and

WHEREAS, Senator Green has brought good will and honor to Alabama through his active participation and able leadership in the Lions Club having served with distinction as President of the York Lions Club, as District Governor, as a member of the Board of Directors, as Third Vice President, Second Vice President, and First Vice President of Lions International; and

WHEREAS, Senator Green has been recently elected President of Lions International in recognition of his outstanding services, bringing further honor and prestige to this State; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate Senator Green on his recent election to the highest office of this estimable fraternal organization and wish him continued success in his position as President of Lions International.

On motion of Mr. Pruitt the rules were suspended and H.J.R. 76 was adopted.

Also:

By Messrs. Bevill and Scurlock:

H. J. R. 77. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that part of the highway from U. S. Highway 78 (Bankhead Highway running from Townley to the intersection of Alabama Highway 43 at Musgrove Hill, constituting approximately twenty-six miles be known as the "E. C. Ellison Highway" in recognition of Mr. Ellison who for twenty-five years was president of the Fayette-Walker Road Association and was responsible for the building of the road; and the State Highway Department shall cause appropriate signs and markers to be erected along said highway designating its name.

On motion of Mr. Bevill the rules were suspended and H.J.R. 77 was adopted.

MOTIONS TO RECESS LOST

Mr. Turnham moved that the House recess until 2:30 o'clock this afternoon.

The substitute motion of Mr. Perry that the House recess until 3:00 o'clock this afternoon was lost.

Yeas 37; Nays 49.

Yeas:

Mr. Speaker	Etheredge	Martin	Salter
Bassett	Faulk	Meade	Scurlock
Bevill	Gilmore	Merrill	Sessions
Callahan	Glass	NeSmith	Steagall
Collins	Hain	Nettles	Stembridge
Cornett	Hawkins	Owens	Turner (Greshaw)
Davis	Ingram	Paulk	Turner (Limestone)
Dominick	Jones (Covington)	Perry	Turnham
Downing	Locke	Rast	Wood
Edwards (Escambia)			

—37

Nays:

Messrs.	Blanton	Brown (Tuscaloosa)	Cooper
Albea	Bolton	Burnham	Crawford
Bailes	Boston	Burns	Daniel
Baker (Madison)	Bowers	Campbell (Jackson)	Doggett
Barnett	Branyon	Cates	Drake

Edington	Heflin	Mashburn	Rogers
Edwards (Lowndes)	Hester	Moore	Slate
Fields	Hogan	Morrow	Smith
Fite	Holladay	Pennington	Sullivan
Grouby	Jones (Monroe)	Pierce	Teel
Hankins	Little	Powell	Thomas
Hannah	McCorquodale	Reynolds	Young
Harper	McDermott		

—49

The question was then on the motion of Mr. Turnham that the House recess until 2:30 o'clock this afternoon, and said motion was lost.

Yeas 34; Nays 57.

Yeas:

Mr. Speaker	Downing	Harper	Paulk
Bassett	Edwards (Escambia)	Hawkins	Perry
Bevill	Engel	Ingram	Salter
Callahan	Etheredge	Locke	Scurlock
Cates	Faulk	Martin	Sessions
Collins	Gilmore	Meade	Turner (Crenshaw)
Cornett	Glass	Merrill	Turnham
Davis	Grouby	NeSmith	Young
Dominick	Hain		

—34

Nays:

Messrs.	Camp	Hester	Pennington
Albea	Campbell (Jackson)	Hogan	Pierce
Avery	Cook	Holladay	Powell
Bailes	Cooper	Jones (Covington)	Reynolds
Baker (Madison)	Crawford	Jones (Monroe)	Rogers
Barnett	Daniel	Little	Slate
Blanton	Doggett	McCorquodale	Smith
Bolton	Drake	McDermott	Steagall
Boston	Edington	Mashburn	Stembridge
Bowers	Edwards (Lowndes)	Moore	Sullivan
Branyon	Fields	Morrow	Teel
Brown (Jefferson)	Fite	Nabors	Thomas
Brown (Tuscaloosa)	Hankins	Nettles	Turner (Limestone)
Burnham	Hannah	Owens	Wood
Burns	Heflin		

—57

BILLS ON THIRD READING

H. 502. To provide additional compensation or salary for the official court reporters in all circuit courts in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 inhabitants according to the last preceding or any subsequent federal decennial census; and providing for the payment thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doggett	Holladay	Pierce
Avery	Downing	Ingram	Powell
Bailes	Drake	Jones (Covington)	Rast
Baker (Madison)	Edington	Jones (Monroe)	Reynolds
Basset	Edwards (Lowndes)	Little	Rogers
Bethea (M)	Etheredge	Locke	Sessions
Bolton	Fields	McCorquodale	Slate
Boston	Gilmore	Martin	Smith
Bowers	Glass	Meade	Snell
Branyon	Goldthwaite	Meeks	Steagall
Brown (Jefferson)	Grouby	Merrill	Stembridge
Brown (Tuscaloosa)	Hain	Morrow	Sullivan
Camp	Hankins	Nabors	Teel
Campbell (Jackson)	Hannah	NeSmith	Thomas
Cantrell	Harper	Nettles	Turner (Crenshaw)
Cates	Hawkins	Owens	Turner (Limestone)
Cooper	Heflin	Paulk	Vacca
Crawford	Hester	Pennington	Wood
Daniel	Hogan	Perry	Young
Davis			

—77

And the bill:

H. 507. Relating to Calhoun County; to provide for separation of the offices of clerk of the circuit court and register in chancery which were consolidated by an act approved September 19, 1949; placing these officers on a salary basis, and providing for the operation of such offices on such basis; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Perry
Albea	Cook	Heflin	Pierce
Avery	Cooper	Hester	Powell
Bailes	Crawford	Hogan	Rast
Baker (Madison)	Daniel	Holladay	Reynolds
Barnett	Davis	Ingram	Rogers
Bassett	Doggett	Jones (Covington)	Salter
Bethea (B)	Downing	Jones (Monroe)	Scurlock
Bethea (M)	Drake	Little	Sessions
Bevill	Edington	Locke	Slate
Blanton	Edwards (Escambia)	McCorquodale	Smith
Bolton	Edwards (Lowndes)	Martin	Snell
Boston	Engel	Meade	Steagall
Bowers	Etheredge	Meeks	Stembridge
Branyon	Fields	Merrill	Teel
Brown (Jefferson)	Gilmore	Moore	Thomas
Brown (Tuscaloosa)	Glass	Morrow	Turner (Crenshaw)
Burnham	Goldthwaite	Nabors	Turner (Limestone)
Burns	Grouby	NeSmith	Turnham
Camp	Hain	Nettles	Vacca
Campbell (Jackson)	Hankins	Owens	Wood
Cantrell	Hannah	Paulk	Young
Casey	Harper	Pennington	

—91

And the bill:

H. 509. Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cates	Hester	Perry
Albea	Cook	Hogan	Pierce
Bailes	Cooper	Holladay	Powell
Baker (Madison)	Daniel	Ingram	Rast
Barnett	Davis	Jones (Covington)	Reynolds
Bassett	Doggett	Jones (Monroe)	Rogers
Bethea (B)	Downing	Little	Salter
Bethea (M)	Drake	Locke	Scurlock
Bevill	Edington	McCorquodale	Slate
Blanton	Edwards (Escambia)	Martin	Smith
Boston	Edwards (Lowndes)	Meade	Snell
Bowers	Fields	Meeks	Steagall
Branyon	Glass	Merrill	Stembridge
Brown (Jefferson)	Goodwyn	Moore	Teel
Brown (Tuscaloosa)	Grouby	Morrow	Turner (Crenshaw)
Burnham	Hain	NeSmith	Turner (Limestone)
Burns	Hankins	Nettles	Turnham
Camp	Hannah	Owens	Vacca
Campbell (Jackson)	Harper	Paulk	Wood
Cantrell	Hawkins	Pennington	Young
Casey	Heflin		

—82

And the bill:

H. 510. To amend Act No. 299, H. 836, Regular Session 1955 (Acts 1955, p. 697), entitled "An Act Relating to Dale County; fixing the compensation and providing an expense allowance for members of the county governing body."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Bowers	Daniel	Hain
Albea	Branyon	Davis	Hankins
Avery	Brown (Jefferson)	Doggett	Hannah
Bailes	Burnham	Downing	Harper
Baker (Madison)	Burns	Drake	Hawkins
Barnett	Camp	Edington	Heflin
Bassett	Campbell (Jackson)	Edwards (Escambia)	Hester
Bethea (B)	Cantrell	Edwards (Lowndes)	Hogan
Bethea (M)	Casey	Etheredge	Ingram
Bevill	Cates	Fields	Jones (Covington)
Blanton	Collins	Gilmore	Jones (Monroe)
Bolton	Cooper	Glass	Little
Boston	Crawford	Goodwyn	Locke

McCorquodale	Nettles	Rogers	Sullivan
McDermott	Owens	Scurlock	Teel
Martin	Paulk	Sessions	Turner (Crenshaw)
Meade	Pennington	Slate	Turner (Limestone)
Meeks	Perry	Smith	Turnham
Merrill	Pierce	Snell	Vacca
Morrow	Powell	Steagall	Wood
Nabors	Rast	Stembridge	Young
NeSmith			

—85

Nay:

Mr. Holladay

—1

And the bill:

H. 512. (With Amendment). To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Elmore County.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amendment to H. B. 512

Strike out Section 3 of the bill and insert in lieu thereof the following:

Section 3. This Act shall become effective July 1, 1963.

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Owens
Albea	Cates	Harper	Paulk
Bailes	Collins	Hawkins	Pennington
Baker (Madison)	Cooper	Heflin	Perry
Barnett	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Reynolds
Bethea (B)	Davis	Holladay	Rogers
Bethea (M)	Doggett	Ingram	Salter
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Drake	Jones (Monroe)	Sessions
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Martin	Steagall
Brown (Jefferson)	Etheredge	Meade	Sullivan
Brown (Tuscaloosa)	Fields	Meeks	Teel
Burnham	Gilmore	Merrill	Turner (Crenshaw)
Burns	Glass	Moore	Turner (Limestone)
Camp	Goodwyn	Morrow	Turnham
Campbell (Jackson)	Grouby	Nabors	Vacca
Campbell (Tuscaloosa)	Hain	NeSmith	Wood
Cantrell	Hankins	Nettles	Young

—88

And said bill, H. 512, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Hawkins	Paulk
Albea	Cates	Heflin	Pennington
Avery	Cooper	Hester	Perry
Bailes	Crawford	Hogan	Powell
Baker (Madison)	Daniel	Holladay	Rast
Barnett	Davis	Ingram	Reynolds
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (B)	Downing	Jones (Monroe)	Salter
Bethea (M)	Drake	Locke	Scurlock
Bevill	Edington	McCorquodale	Sessions
Blanton	Edwards (Escambia)	McDermott	Slate
Boston	Edwards (Lowndes)	Martin	Smith
Bowers	Engel	Mashburn	Snell
Branyon	Etheredge	Meade	Steagall
Brown (Jefferson)	Gilmore	Meeks	Sullivan
Brown (Tuscaloosa)	Glass	Merrill	Teel
Burnham	Goodwyn	Moore	Turner (Crenshaw)
Burns	Grouby	Morrow	Turner (Limestone)
Camp	Hain	Nabors	Vacca
Campbell (Jackson)	Hankins	NeSmith	Wood
Campbell (Tuscaloosa)	Hannah	Nettles	Young
Cantrell	Harper	Owens	

—87

And the bill:

H. 513. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city: and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Branyon	Cornett	Fite
Albea	Brown (Jefferson)	Crawford	Gilmore
Avery	Burnham	Daniel	Glass
Bailes	Burns	Davis	Goodwyn
Baker (Madison)	Camp	Doggett	Grouby
Barnett	Campbell (Jackson)	Downing	Hain
Bassett	Campbell (Tuscaloosa)	Drake	Hankins
Bethea (B)	Cantrell	Edington	Hannah
Bevill	Casey	Edwards (Escambia)	Harper
Blanton	Cates	Edwards (Lowndes)	Hawkins
Bolton	Collins	Engel	Heflin
Boston	Cook	Etheredge	Hester
Bowers	Cooper	Fields	Hogan

Holladay	Merrill	Pierce	Steagall
Ingram	Moore	Powell	Stembridge
Jones (Covington)	Morrow	Rast	Sullivan
Locke	Nabors	Reynolds	Teel
McCorquodale	NeSmith	Rogers	Turner (Crenshaw)
McDermott	Nettles	Salter	Turner (Limestone)
Martin	Owens	Scurlock	Turnham
Mashburn	Paulk	Sessions	Vacca
Meade	Pennington	Slate	Wood
Meeks	Perry	Smith	Young

—92

And the bill:

H. 515. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Powell
Bailes	Crawford	Heflin	Rast
Baker (Madison)	Daniel	Hester	Reynolds
Barnett	Davis	Hogan	Rogers
Bassett	Doggett	Holladay	Salter
Bethea (B)	Dominick	Ingram	Scurlock
Bethea (M)	Downing	Jones (Covington)	Sessions
Bevill	Drake	Little	Slate
Blanton	Edgington	Locke	Smith
Boston	Edwards (Escambia)	McCorquodale	Snell
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Engel	Martin	Stembridge
Brown (Jefferson)	Etheredge	Meade	Sullivan
Burnham	Fields	Meeks	Teel
Burns	Fite	Merrill	Turner (Crenshaw)
Camp	Gilmore	Moore	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Casey	Hain	Owens	Young
Cates	Hankins	Paulk	

—91

And the bill:

H. 528. To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Pierce
Bailes	Crawford	Heflin	Powell
Baker (Madison)	Daniel	Hester	Rast
Barnett	Davis	Hogan	Reynolds
Bassett	Doggett	Holladay	Rogers
Bethea (M)	Dominick	Ingram	Salter
Bevill	Drake	Jones (Covington)	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Smith
Boston	Edwards (Lowndes)	McDermott	Snell
Bowers	Engel	Meade	Steagall
Branyon	Etheredge	Meeks	Stembridge
Brown (Jefferson)	Fields	Merrill	Sullivan
Burnham	Fite	Moore	Teel
Burns	Gilmore	Morrow	Turner (Crenshaw)
Camp	Glass	Nabors	Turner (Limestone)
Campbell (Jackson)	Goodwyn	NeSmith	Vacca
Campbell (Tuscaloosa)	Grouby	Nettles	Wood
Cantrell	Hain	Owens	Young
Casey	Hankins	Paulk	

—87

And the bill:

H. 529. Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cook	Hannah	Pennington
Albea	Cooper	Harper	Perry
Avery	Cornett	Hawkins	Pierce
Bailes	Crawford	Heflin	Powell
Baker (Madison)	Daniel	Hester	Rast
Barnett	Davis	Hogan	Reynolds
Bassett	Doggett	Holladay	Rogers
Bethea (M)	Dominick	Ingram	Salter
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Drake	Jones (Monroe)	Sessions
Bolton	Edington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Stembridge
Burnham	Fields	Merrill	Sullivan
Burns	Fite	Moore	Teel
Camp	Gilmore	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turnham
Cantrell	Grouby	Nettles	Vacca
Casey	Hain	Owens	Wood
Cates	Hankins	Paulk	Young

—92

And the bill:

H. 533. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all cost or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Pennington
Albea	Cook	Hawkins	Perry
Avery	Cooper	Heflin	Pierce
Bailes	Cornett	Hester	Powell
Baker (Madison)	Crawford	Hogan	Rast
Barnett	Daniel	Holladay	Reynolds
Bassett	Davis	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edgington	Locke	Slate
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Burns	Gilmore	Moore	Teel
Callahan	Glass	Morrow	Turner (Crenshaw)
Camp	Goodwyn	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Cantrell	Hankins	Owens	Wood
Casey	Hannah	Paulk	Young

—92

And the bill:

H. 536. Relating to counties having populations of not less than 17,400 nor more than 17,800; fixing the compensation of election officers in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Paulk
Albea	Cooper	Hawkins	Pennington
Avery	Cornett	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Baker (Madison)	Daniel	Hogan	Powell
Barnett	Davis	Holladay	Reynolds
Bassett	Doggett	Ingram	Rogers
Bethea (M)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Little	Slate
Bolton	Edwards (Escambia)	Locke	Smith
Boston	Edwards (Lowndes)	McCorquodale	Snell
Bowers	Engel	McDermott	Steagall
Branyon	Etheredge	Martin	Stembridge
Brown (Jefferson)	Fields	Meade	Sullivan
Brown (Tuscaloosa)	Fite	Meeks	Teel
Burnham	Gilmore	Merrill	Turner (Crenshaw)
Burns	Glass	Moore	Turner (Limestone)
Camp	Goodwyn	Nabors	Turnham
Campbell (Jackson)	Hain	NeSmith	Vacca
Cantrell	Hankins	Nettles	Wood
Casey	Hannah	Owens	Young

—88

And the bill:

H. 543. To Amend Further an Act Approved November 4, 1950, Entitled "An Act to Create a Board of Revenue for Jackson County; Providing its powers and duties and for compensation of its members; prescribing penalties for violations of this Act; and abolishing the Court of County Commissioners of Jackson County" (Acts of Alabama 1950-51, Vol. 1, P. 126) so as to Duly Authorize the Board of Revenue to Employ Clerical Help.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Gilmore	Martin
Albea	Cantrell	Glass	Meade
Avery	Casey	Goodwyn	Meeks
Bailes	Cates	Grouby	Merrill
Baker (Madison)	Cooper	Hain	Moore
Barnett	Cornett	Hankins	Morrow
Bassett	Crawford	Hannah	Nabors
Bethea (M)	Daniel	Harper	NeSmith
Bevill	Davis	Hawkins	Nettles
Blanton	Doggett	Heflin	Owens
Bolton	Downing	Hester	Paulk
Boston	Drake	Hogan	Perry
Bowers	Edington	Holladay	Powell
Branyon	Edwards (Escambia)	Ingram	Rast
Brown (Jefferson)	Edwards (Lowndes)	Jones (Covington)	Rogers
Brown (Tuscaloosa)	Engel	Jones (Monroe)	Scurlock
Burns	Etheredge	Locke	Sessions
Camp	Fields	McCorquodale	Smith
Campbell (Jackson)	Fite	McDermott	Snell

Steagall
Stembridge
Sullivan

Teel
Turner (Crenshaw)
Turner (Limestone)

Turnham
Vacca

Wood
Young

—86

And the bill:

H. 463. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Owens
Albea	Cornett	Hawkins	Paulk
Avery	Crawford	Heflin	Pennington
Bailes	Daniel	Hester	Perry
Baker (Madison)	Davis	Hogan	Pierce
Barnett	Doggett	Holladay	Powell
Bassett	Downing	Ingram	Reynolds
Bethea (M)	Drake	Jones (Covington)	Rogers
Bevill	Edington	Jones (Monroe)	Scurlock
Blanton	Edwards (Escambia)	Little	Sessions
Boston	Edwards (Lowndes)	Locke	Smith
Bowers	Engel	McCorquodale	Snell
Branyon	Etheredge	McDermott	Steagall
Brown (Jefferson)	Fields	Meade	Sullivan
Brown (Tuscaloosa)	Fite	Meeks	Teel
Burnham	Gilmore	Merrill	Turner (Crenshaw)
Burns	Glass	Moore	Turner (Limestone)
Camp	Goodwyn	Morrow	Turnham
Campbell (Tuscaloosa)	Hain	Nabors	Vacca
Cantrell	Hankins	NeSmith	Wood
Casey	Hannah	Nettles	Young
Cates			

—85

And the bill:

H. 487. Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bevill	Burnham	Cornett
Albea	Blanton	Burns	Crawford
Avery	Bolton	Camp	Daniel
Bailes	Boston	Campbell (Tuscaloosa)	Davis
Baker (Madison)	Bowers	Cantrell	Downing
Barnett	Branyon	Casey	Drake
Bassett	Brown (Jefferson)	Cates	Edington
Bethea (M)	Brown (Tuscaloosa)	Cooper	Edwards (Escambia)

Edwards (Lowndes)	Heflin	Morrow	Scurlock
Engel	Hester	Nabors	Sessions
Etheredge	Hogan	NeSmith	Smith
Fields	Ingram	Nettles	Snell
Fite	Jones (Covington)	Owens	Steagall
Gilmore	Jones (Monroe)	Paulk	Stembridge
Glass	Little	Pennington	Sullivan
Goodwyn	Locke	Perry	Teel
Grouby	McCorquodale	Pierce	Turner (Crenshaw)
Hain	McDermott	Powell	Turner (Limestone)
Hankins	Meeks	Rast	Vacca
Hannah	Merrill	Reynolds	Wood
Harper	Moore	Rogers	Young
Hawkins			

—85

And the bill:

H. 488. Relating to the court fees and costs of the Jefferson County Civil Court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Pennington
Albea	Cates	Harper	Perry
Bailes	Cooper	Hawkins	Pierce
Baker (Madison)	Cornett	Heflin	Powell
Barnett	Crawford	Hester	Rast
Bassett	Daniel	Hogan	Reynolds
Bethae (B)	Davis	Jones (Covington)	Rogers
Bethae (M)	Downing	Jones (Monroe)	Scurlock
Bevill	Drake	Locke	Sessions
Blanton	Edington	McCorquodale	Slate
Bolton	Edwards (Escambia)	McDermott	Smith
Boston	Edwards (Lowndes)	Martin	Snell
Bowers	Engel	Meade	Steagall
Branyon	Etheredge	Meeks	Stembridge
Brown (Jefferson)	Fields	Merrill	Sullivan
Brown (Tuscaloosa)	Fite	Moore	Teel
Burnham	Gilmore	Morrow	Turner (Crenshaw)
Burns	Glass	Nabors	Turner (Limestone)
Camp	Goodwyn	NeSmith	Turnham
Campbell (Jackson)	Grouby	Nettles	Vacca
Campbell (Tuscaloosa)	Hain	Owens	Wood
Cantrell	Hankins	Paulk	Young

—88

And the bill:

H. 517. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Pennington
Albea	Collins	Hawkins	Perry
Avery	Cooper	Hester	Pierce
Bailes	Cornett	Hogan	Powell
Baker (Madison)	Crawford	Holladay	Rast
Barnett	Daniel	Ingram	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bethea (B)	Downing	Jones (Monroe)	Scurlock
Bethea (M)	Drake	Little	Sessions
Bevill	Edington	Locke	Slate
Blanton	Edwards (Escambia)	McCorquodale	Smith
Bolton	Edwards (Lowndes)	McDermott	Snell
Boston	Engel	Martin	Steagall
Bowers	Etheredge	Meade	Stembridge
Branyon	Fields	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Brown (Tuscaloosa)	Gilmore	Moore	Turner (Crenshaw)
Burnham	Glass	Morrow	Turner (Limestone)
Burns	Goodwyn	Nabors	Turnham
Camp	Grouby	NeSmith	Vacca
Campbell (Tuscaloosa)	Hain	Nettles	Wood
Cantrell	Hankins	Owens	Young
Casey	Hannah	Paulk	

—91

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Salter to reconsider the vote by which the bill, H. 536, was passed, was adopted.

H. 536 POSTPONED

On motion of Mr. Salter, further consideration of the bill, H. 536, was postponed until the next legislative day.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 130. To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379) as last amended.

Was again taken up.

Mr. McCorquodale moved to lay on the table the substitute offered by him for the bill, H. 130, on the fourteenth legislative day.

Mr. Brown (Jefferson) moved to postpone further consideration of the bill, H. 130, and pending substitute, and pending motion, placing the bill, H. 130 (with substitute), at the end of the Calendar for the seventeenth legislative day.

On motion of Mr. McCorquodale the motion of Mr. Brown (Jefferson) was laid upon the table.

Yeas 66; Nays 28.

Yeas:

Mr. Speaker	Davis	Heflin	Pennington
Avery	Doggett	Hogan	Powell
Bailes	Dominick	Holladay	Pruitt
Baker (DeKalb)	Downing	Ingram	Reynolds
Barnett	Drake	Jones (Covington)	Rogers
Bassett	Edington	Jones (Monroe)	Salter
Bevill	Edwards (Lowndes)	Little	Scurlock
Boston	Engel	McCorquodale	Slate
Branyon	Fields	McDermott	Smith
Burns	Fite	Martin	Snell
Campbell (Tuscaloosa)	Glass	Mashburn	Steagall
Cantrell	Goldthwaite	Meade	Sullivan
Casey	Goodwyn	Meeks	Turner (Crenshaw)
Cates	Hain	Moore	Turner (Limestone)
Cook	Hankins	Owens	Turnham
Cooper	Hannah	Paulk	Young
Daniel	Harper		

—66

Nays:

Messrs.	Burnham	Etheredge	NeSmith
Albea	Callahan	Gilmore	Perry
Baker (Madison)	Campbell (Jackson)	Hawkins	Rast
Bethea (B)	Collins	Hester	Sessions
Bethea (M)	Cornett	Locke	Teel
Bolton	Crawford	Merrill	Thomas
Bowers	Edwards (Escambia)	Morrow	Vacca
Brown (Jefferson)			

—28

The question was then on the motion of Mr. McCorquodale to lay on the table the substitute offered by him for the bill, H. 130, on the fourteenth legislative day.

Mr. Rast moved to postpone further consideration of the bill, H. 130, and pending substitute, and pending motion, until the nineteenth legislative day.

On motion of Mr. McCorquodale the motion of Mr. Rast was laid upon the table.

Yeas 61; Nays 27.

Yeas:

Mr. Speaker	Camp	Downing	Hankins
Avery	Campbell (Tuscaloosa)	Drake	Hannah
Bailes	Casey	Edington	Harper
Baker (DeKalb)	Cates	Engel	Heflin
Barnett	Cook	Fields	Hogan
Bassett	Cooper	Fite	Holladay
Boston	Crawford	Glass	Ingram
Branyon	Daniel	Goldthwaite	Jones (Covington)
Brown (Tuscaloosa)	Doggett	Grouby	Jones (Monroe)
Burns	Dominick	Hain	Little

McDermott	Paulk	Slate	Sullivan
Mashburn	Pennington	Smith	Turner (Crenshaw)
Meade	Powell	Snell	Turner (Limestone)
Meeks	Reynolds	Steagall	Turnham
Moore	Rogers	Stembridge	Young
Owens			

—61

Nays:

Messrs.	Burnham	Gilmore	Perry
Albea	Callahan	Hawkins	Pruitt
Bethea (B)	Campbell (Jackson)	Hester	Rast
Bethea (M)	Collins	Locke	Sessions
Bolton	Cornett	Merrill	Teel
Bowers	Davis	Morrow	Thomas
Brown (Jefferson)	Etheredge	NeSmith	Vacca

—27

The question was then on the motion of Mr. McCorquodale to lay on the table the substitute offered by him for the bill, H. 130, on the fourteenth legislative day.

Mr. Bolton moved to postpone further consideration of the bill, H. 130, and pending substitute, and pending motion, until the next legislative day.

On motion of Mr. McCorquodale the motion of Mr. Bolton was laid upon the table.

Yeas 60; Nays 34.

Yeas:

Mr. Speaker	Cooper	Hankins	Nettles
Avery	Crawford	Hannah	Owens
Bailes	Daniel	Harper	Paulk
Baker (DeKalb)	Doggett	Heflin	Pennington
Barnett	Dominick	Hogan	Rogers
Bassett	Downing	Holladay	Scurlock
Bevill	Drake	Ingram	Slate
Boston	Edington	Jones (Monroe)	Smith
Branyon	Edwards (Escombles)	Locke	Snell
Burns	Engel	McDermott	Steagall
Campbell (Tuscaloosa)	Fields	Martin	Sullivan
Cantrell	Fite	Mashburn	Turner (Crenshaw)
Casey	Glass	Meade	Turner (Limestone)
Cates	Grouby	Moore	Turnham
Cook	Hain	Nabors	Young

—60

Nays:

Messrs.	Callahan	Goodwyn	Perry
Albea	Camp	Hawkins	Powell
Bethea (B)	Campbell (Jackson)	Hester	Pruitt
Bethea (M)	Collins	Jones (Covington)	Rast
Bolton	Cornett	Little	Sessions
Bowers	Davis	Meeks	Teel
Brown (Jefferson)	Etheredge	Merrill	Thomas
Brown (Tuscaloosa)	Gilmore	Morrow	Vacca
Burnham	Goldthwaite	NeSmith	

—34

The question was then on the motion of Mr. McCorquodale to lay on the table the substitute offered by him for the bill, H. 130, on the fourteenth legislative day, and said motion was adopted.

Yeas 78; Nays 19.

Yeas:

Mr. Speaker	Cooper	Hester	Pennington
Albea	Crawford	Hogan	Powell
Avery	Daniel	Holladay	Pruitt
Bailes	Doggett	Ingram	Rast
Baker (DeKalb)	Dominick	Jones (Covington)	Reynolds
Barnett	Downing	Jones (Monroe)	Rogers
Bassett	Drake	Little	Salter
Bevill	Edington	McCorquodale	Scurlock
Boston	Edwards (Escambia)	McDermott	Slate
Branyon	Edwards (Lowndes)	Martin	Smith
Brown (Tuscaloosa)	Engel	Mashburn	Snell
Burnham	Fields	Meade	Steagall
Burns	Fite	Meeks	Stembridge
Camp	Glass	Moore	Sullivan
Campbell (Jackson)	Grouby	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	NeSmith	Turner (Limestone)
Cantrell	Hankins	Nettles	Turnham
Casey	Hannah	Owens	Vacca
Cates	Harper	Paulk	Young
Cook	Heflin		

—78

Nays:

Messrs.	Callahan	Gilmore	Morrow
Bethea (B)	Collins	Goldthwaite	Perry
Bolton	Cornett	Hawkins	Sessions
Bowers	Davis	Locke	Teel
Brown (Jefferson)	Etheredge	Merrill	Thomas

—19

Mr. McCorquodale offered the following substitute for the bill, H. 130:

A BILL
TO BE ENTITLED
AN ACT

To provide further for water pollution control, establishing a new water improvement commission and prescribing its jurisdiction, powers and duties, providing for enforcement of the Act and rules, regulations, and orders of the commission, prescribing penalties and repealing Act No. 523, Regular Session 1947 (Gen. Act 1947, p. 379) as amended.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Purpose. The improvement and conservation of the ground and surface waters of the State of Alabama is of utmost importance. The existing water conditions of the state and the right of municipalities, industries and individuals to the reasonable use of such waters so as to promote the continued growth and development of the state, in industry, agriculture, health, and conservation of natural resources is recognized.

Section 2. Definitions. When used in this Act the terms defined shall have the meanings here ascribed to them unless it clearly appears from the context that some other meaning is indicated.

"Commission" means the Water Improvement Commission; and "member" means a member of said commission.

"Waters" means all waters of any river, stream, watercourse, pond, lake, coastal, ground or surface water, wholly or partially within the state.

"Sewage" means water-carried human wastes from residences, buildings, industrial establishments or other places, together with such ground, surface, storm or other waters as may be present.

"Industrial wastes" mean liquid or other wastes resulting from any process of industry, manufacture, trade or business or from the development of any natural resources.

"Other wastes" means decayed wood, sawdust, shavings, bark, lime, refuse, ashes, offal, oil, tar, chemicals and all other substances, except industrial wastes and sewage, which may cause pollution of any surface waters of the state.

"Pollution" mean the discharge or deposit of sewage, industrial wastes, or other wastes in such condition, manner or quantity as may cause ground or surface water to be contaminated, unclean, or impure to such an extent as to make said waters detrimental to the public health or to the health of animals, fish or aquatic life; unsuitable with reasonable treatment for use as present or possible future sources of public water supply; or unsuitable for recreational, commercial, industrial, agricultural, or other reasonable uses.

"Person" means any and all persons, natural or artificial, including any individual, firm, or association and any municipal or private corporation organized or existing under the laws of this or any other state or country.

Section 3. Commission created; members, compensation and expenses; meetings; administrative and disbursing agent. (a) There is hereby created a Water Improvement Commission consisting of 16 members as follows: The State Health Officer, who shall be the chairman of the Commission; the Director of the Department of Conservation, who shall be Vice Chairman; the Commissioner of the Department of Agriculture and Industries; the State Geologist; one member representative of municipal government, one member representative of county government; one member representative of wildlife conservation; six members respectively representative of the following six industries of the State, viz: Mining, Textiles, Chemicals, Lumbering, Paper, Metals; one member from the University of Alabama, possessing related scientific or technical training to be designated by the Dean of the School of Engineering of the University of Alabama; and one member from the Auburn University, possessing related scientific or technical training, to be designated by the Dean of the School of Agriculture of the Auburn University; and one member representative of the Alabama Fisheries Association.

(b) The four ex-officio members shall hold office as such throughout their respective terms and until the appointment and qualification of their successors as such. The representatives of the University of Alabama and the Auburn University shall hold office for six years. The remaining ten members of the Commission shall be appointed by the Governor and shall hold office for a term of six years. The member representative of a municipal government shall be appointed from three nominees made by Alabama League of Municipalities; the member representative of county government shall be appointed from three nominees made by Association of County Commissioners of Alabama; the member representative of wildlife conservation shall be appointed from three nominees made by Alabama Wildlife

Federation; the members representative of Mining, Textiles, Chemicals, Lumbering, Paper and Metals shall be appointed from three nominees for each of said industries, such nominations to be made by Alabama Mining Institute for Mining; Alabama Cotton Manufacturers Association for Textiles; Alabama State Chamber of Commerce for Chemicals; Alabama Forest Products Association for Lumbering; Associated Industries of Alabama for Paper; and Alabama Mining Institute for Metals; the member representative of the Alabama Fisheries Association shall be appointed from a list of three nominees made by the Association. In the event any such organization shall fail to make such nominations within sixty days after receipt of notice from the Chairman of the Commission, the Governor shall make any such appointment in his own discretion. The technical secretary of the Commission shall report the absence of any representative from three consecutive meetings to the Commission. The Commission, by majority vote, may declare the position of such absentee representative vacant. If the Commission shall so vote, the technical secretary shall forthwith notify the agency of the Commission's action and such agency shall, within sixty days, send to the Governor the names of three nominees and the appointment of a successor shall be made by the Governor in the manner provided for in this section.

(c) Upon the death, resignation or removal of any appointed member, the Governor shall, upon certification thereof to him by the Commission, appoint some qualified person to fill the vacancy for the unexpired term of said member, in the manner provided for in subsection (b). Upon the death, resignation or removal of the member appointed by the Dean of the School of Engineering of the University of Alabama to represent the University of Alabama, or the member appointed by the Dean of the School of Agriculture of the Auburn University to represent the Auburn University, notice of such vacancy shall be made in writing to the appointing officer of the school from which the vacancy occurred, who shall, within thirty days after receipt of such notification, inform the Chairman of the Commission in writing of a replacement upon the Commission to fill the vacancy for the unexpired term. The term of office of every member shall be from the date of his appointment and qualification until the appointment and qualification of his successor. All members shall have been residents of the State of Alabama for two or more years prior to their appointment. The Chief Sanitary Engineer, Director of the Bureau of Sanitation, of the Department of Public Health shall serve as technical secretary to the Commission.

(d) No salary or compensation shall be allowed any member of the Commission for services thereon; this shall not, however, be construed to affect in any way the regular compensation of officials of state departments and of representatives of state institutions, who by virtue of their position are members of the Commission, services on the Commission being considered a part of the duties of such officials as representative of the respective departments and institutions. Actual and necessary travel subsistence, and other expenses incurred by members in the discharge of their official duties as members of the Commission and by direction or request of the Commission, shall be paid as provided by law from any funds which are or may become available for the purposes of this Act.

(e) The Commission shall meet regularly in April and October of each year and special meetings may be held at any time or place determined by the Commission or upon call of the chairman or upon written request of any five members to take up any matters within its jurisdiction, provided that all members shall be notified of the time and place of any regular or special meeting at least ten days in advance of such meetings.

(f) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the technical secretary and open to public inspection.

(g) The State Department of Public Health shall be the administrative and disbursing agent for the Commission within the limits of appropriations and funds, which are or which may become available from any source for this purpose.

(h) There is hereby created an Executive Committee of the Water Improvement Commission consisting of five of its members as follows: The State Health Officer who shall be the Chairman of the Executive Committee; the Director of the Department of Conservation; the members representative of Municipal Government, and member representative of industry, and the member representative of wildlife conservation. The Executive Committee may meet at any time or place upon call by the Chairman and, when the full Commission is not assembled, said Executive Committee may act for the full Commission and shall possess all such powers and jurisdiction of said Commission as may be delegated to it by said Commission.

(i) Nine members of the Commission shall constitute a quorum for the transaction of Commission business.

(j) The incumbent members of the Water Improvement Commission as established under Act No. 523, Regular Session 1947 (Gen. Acts 1947, p. 379), as amended, shall constitute the membership of the Commission provided for in this Act and shall continue to serve until their successors are appointed as provided in Section 3 (b) or (c).

Section 4. Powers and duties of Commission; review and enforcement of orders. It shall be the duty of the Commission, and it shall have authority insofar as is reasonable, scientifically possible, economically feasible and physically attainable from a practical standpoint:

(a) To study and investigate all problems concerned with the improvement and conservation of the waters of the State. To conduct independently and in cooperation with others, studies, investigations, research, and to prepare, or in cooperation with others prepare, a program or programs, any or all of which shall pertain to the purity and conservation of the waters of the State of Alabama or to the treatment and disposal of sewage, industrial wastes, or other wastes which may be the causes of pollution, which studies, investigations, research and program or programs shall be intended to result in the reduction of pollution of the waters of the State of Alabama according to the conditions and particular circumstances existing in the various communities throughout the State of Alabama; to propose remedial measures insofar as practical means are available for abatement of such pollution. To this end the Commission may cooperate with any public agency, including Federal agencies, or with any private agency in the conduct of such experiments, investigations and research, and may receive in behalf of the State of Alabama, any moneys which any such agency may contribute as its share of the cost under any such cooperative arrangement. Provided that such moneys shall be used only for the purposes for which they are contributed, and any unexpended balance remaining after the conclusion of the experiments, investigation and research, or other uses for which such moneys were granted or donated, shall remain to the credit of the Water Improvement Commission Fund unless the terms of such grant, gift, or donation specifically require the return of any unexpended balance.

(b) It shall be the duty of the commission to conduct surveys with respect to the pollution of any streams in the state either navigable or not navigable; to establish criteria standards for recognized limits of pollution; and, independently or in cooperation with other agencies, both public and private, to promote, through education and demonstration, water conservation and the abatement of stream pollution. Such surveys, determinations and recommendations shall reflect not only what is scientifically possible

but also what is economically feasible and physically attainable from a practical standpoint.

(c) Every person, municipality, industrial or other establishment, shall furnish to the commission within a reasonable time after written request therefor, all pertinent information within their knowledge required by it in the discharge of its duties under this Act; provided, however, that no person or industry shall be required to disclose any secret formulae, processes, or methods. The fees of witnesses for attendance and travel shall be the same as fees of witnesses before the courts of record and shall be paid from the appropriation for the expenses of the commission. Any judge of a court of record, either in term time, or vacation, upon application of the chairman or acting chairman of the commission shall compel the attendance of witnesses, the production of books and papers, and the giving of testimony before the commission or any agent thereof by attachment, or contempt or otherwise, in the same manner as the production of evidence shall be compelled before said court. The chairman of the commission shall require the attendance of employees who are needed as witnesses without subpoena. Any member of the commission or its employees or agents may enter any property, or any industrial or other establishment at any reasonable time for the purpose of collecting such information and no owner or official in charge shall refuse to admit such member, employee or agent for all purposes necessary to the discharge of his official duty.

(d) It shall be the duty of the commission to render a formal report biennially to the governor and each succeeding legislature in regular session assembled, of its activities and progress, and including any recommendations for amendment of this Act.

(e) It shall be the further duty of the commission to extend its cooperation and to advise with industries and municipalities relative to the control of waste and other deleterious matter of pollutive nature and to make available to industries and municipalities the benefits of its studies and findings.

(f) It shall be the duty of the commission to exercise general supervision over the administration and enforcement of all laws relating to pollution of the waters of the State. Whenever the commission determines that any person is violating or is about to violate any of the provisions of this Act or any rule or order of the commission promulgated thereunder, the commission may notify such person of such determination of the commission. The notice may be served by registered mail or by an officer empowered to serve process under existing law or by an officer or agent of the commission. Within such time as may be specified in such notice, such person shall file with the commission a full report, showing steps that have been taken and are being taken to control such discharge or pollution. Thereupon, the commission may make such orders as in its opinion are deemed reasonable, scientifically possible, economically feasible and physically attainable from a practical standpoint to prevent or correct such violation.

(g) It shall be the duty of the commission, after notice as hereinafter provided, to establish such standards of quality for any water in relation to their reasonable and necessary use as shall be in the public interest, recognizing that because of variable factors and varied use of waters, no single standards of treatment and no single standard of quality are practical, and that the degree of treatment of sewage and industrial waste must take into account the present and future uses, and such general policies relating to existing or proposed future pollution as it shall deem necessary to accomplish the purposes of this Act, and to modify, amend or cancel the same. Prior to establishing standards as herein provided, the commission shall cause to be published in a newspaper published in and of general

circulation in each county within which any such waters, wholly or partially, are located, a notice in substantially the following forms:

NOTICE
OF WATER IMPROVEMENT COMMISSION

Notice is hereby given that a meeting of the Water Improvement Commission of the State of Alabama will be held on the ____ day of _____, 19____, at _____ for the purpose of establishing standards of quality in those certain waters in the county or counties of _____, Alabama, described as follows: _____ (Describe waters) _____. Any one desiring to be heard may appear at said meeting.

Water Improvement Commission
By: _____
Chairman

Such notice shall be published once a week for three consecutive weeks prior to the holding of any meeting of the commission for consideration of such standards; provided, however, in any county where no such newspaper is available for publishing said notice, the prescribed notice shall be posted at the county courthouse of said county for a period of three weeks prior to holding of any such meeting of the commission.

(h) It shall be the duty of the commission to receive and examine applications, plans, specifications and other data and to issue permits for the discharge of sewage, industrial waste and other waste into the waters of the state, stipulating in each permit the conditions under which such discharge may be permitted. Any order of the commission with respect to the issuance of a permit shall be subject to review and appeal by the applicant as provided in subsection (n).

(i) It shall be the duty of the commission, and it shall have the authority to adopt rules and regulations to carry out the provisions of this Act.

(j) It shall be the duty of the commission to issue orders directing particular persons responsible for pollution to secure within a reasonable time such operating results toward the control of pollution as the commission may prescribe in accordance with this Act. Every person who, on the date immediately preceding the effective date of this Act, is discharging any pollution into any waters of this State under a permit of the then existing commission may continue to do so under said permit unless and until the commission takes steps to modify the terms of the permit. Every person who, subsequent to the effective date of this Act, begins discharging any new or increased pollution into any waters of this State shall apply to the commission in writing for a permit and shall obtain such permit before discharging such pollution. Every person who, on the day immediately preceding the effective date of this Act, is discharging any pollution into any waters of this State without a permit covering such discharge may, in accordance with the terms of this Act, be required by the commission to apply for such a permit as a condition of continuing such discharge. Whenever the commission may determine after survey and investigation of the particular discharge, of which the affected party shall have been given written notice in advance, that such discharge may not meet the requirements of this Act or the rules and regulations or orders of the commission, as the same may be applicable to such discharge, the commission must require the municipality, industry or person discharging such pollution to apply for a permit with respect thereto. The applicant shall be granted a temporary permit upon his representation that a study looking toward improvement or control of the pollution is underway or will be instituted. The applicant shall be allowed a reasonable time, not exceeding twelve months, in which

to develop and submit a plan to the commission. If the plan submitted it satisfactory and approved by the commission, a permanent permit shall be issued subject to compliance within five years with such plan; however, if the plan is not satisfactory as submitted, the applicant shall be allowed a further period, not exceeding twelve months, in which to submit a revised plan. The commission shall have 90 days in which to act on any such plan submitted. A person who does not submit a plan satisfactory to the commission as herein provided shall be required to install within five years thereafter, such system, devices, or methods as the commission determines necessary to control his pollution.

Any order of the commission made after seven years from the adoption of this Act and its becoming law shall be considered unreasonable if it requires more stringent requirements for any person as defined in this Act, applying for a permit, than for a person, as defined in this Act, who already has a permit.

(k) The commission shall investigate from time to time the discharge of pollution into the waters of the State, and if such investigation discloses that the discharge is not being made by a permittee in accordance with terms and specifications of a permit, the commission may issue to the permittee an order to cease and desist from the acts or practices specified in the order.

(l) The Commission may enter into agreement with the responsible authorities of the Federal government and of other states, subject to the approval of the governor, relative to policies, methods, means and procedures to be employed to control pollution of any interstate waters and to carry out such agreements by appropriate general and special orders. This power shall not be deemed to extend to the modification of any agreement with any other state concluded by direct legislative act, but unless otherwise expressly provided, the commission shall be the agency for the administration and enforcement of any such legislative agreement.

(m) When the commission makes any order directing any person or persons to do or not to do any act specified therein, a copy of such order shall be served upon such person or persons by registered mail or by other method provided in subsection (b) for service of process, and such person or persons may within a period of 30 days after such service, obtain a review of the order as provided in subsection (n). If no such review is obtained, then at the expiration of said period of 30 days after such service, the order of the commission shall become final and conclusive. Service by registered mail as provided in this Act shall be had by mailing to the person to be served, postage prepaid, the papers to be served. The envelope containing such papers shall be marked "For Delivery Only to the Person to Whom Addressed" and a return receipt to be addressed to the commission shall be demanded of the post office authority. Such return receipt when received shall be filed in the commission's records and an entry shall be made upon such records of the date that the return receipt was received. Such receipt and record entry shall be prima facie evidence of service of process upon the person to whom the registered letter was addressed and service, for the purposes of this Act, shall be dated from the date of the receipt by the commission of the return receipt.

(n) Any person who shall feel himself aggrieved by any rule or order of the commission shall have the right to obtain a review thereof by filing with the commission, within the time provided in subsection (m), a sworn petition setting forth the grounds and reason for his complaint and asking for a hearing of the matter involved. The commission shall thereupon fix the time and place of such hearing and shall notify the petitioner thereof by registered mail not less than ten days in advance of the hearing. At any time prior to the commencement of the hearing, any person may become an intervenor in the proceedings by filing a sworn petition setting forth facts

showing that his rights may be prejudiced by an order of the commission in the matter involved. The commission and its members shall have full power to subpoena witnesses for the commission, for the petitioner and for any intervenor, to administer oaths, examine witnesses under oath and conduct the hearing. At such hearing, the petitioner and any intervenor may appear, present witnesses and submit evidence. The order or determination of the commission shall be served on the petitioner and any intervenor by registered mail or by other method provided in subsection (f) for service of process. At the expiration of 30 days from the date of serving on the parties such order or determination of the commission upon the matters included in the hearing, the said order shall become final and conclusive unless the petitioner, or any intervenor whose rights are prejudiced by said order of the commission, shall, within such period of 30 days after the service of such final order, appeal to the circuit court of the county where the hearing was had or of the county of the situs in whole or in part of the subject matter of the hearing, by giving cost bond with sufficient sureties payable to the state, in such amount not less than \$100.00 nor more than \$500.00 as may be fixed in the order appealed from, said cost bond to be filed with and approved by the chairman of the commission, who shall forthwith certify to the circuit court to which the appeal is taken, the said cost bond together with a certified copy of the record of all proceedings of the commission in the matter appealed from, but not including a transcript of the testimony of witnesses or other evidence. Said matter shall be tried de novo on the equity side of said circuit court and shall be a preference case on the docket thereof. On such trial the court shall have jurisdiction to determine whether said order of the commission is lawful, and whether the same is reasonable or unreasonable, requires only what is scientifically possible, economically feasible, and physically attainable from a practical standpoint, and whether a polluted condition of any water or waters exists or is about to exist as set forth in the order appealed from, and to affirm, modify or wholly set aside such order, it being the intent and purpose of this Act that the order of said commission, when appealed as hereinabove provided, shall be final and conclusive only when so determined by such court. The judgment of the circuit court shall be certified to the commission. Any party to such action may within 30 days after judgment appeal to the Supreme Court of Alabama under the same procedure as governs appeals from courts of equity. If a supersedeas is desired by the party appealing, he may apply therefor to the judge of the court from which said appeal is taken, who shall award a writ of supersedeas, without additional bond, if, in his judgment, material damage is not likely to result thereby. Otherwise, said judge shall require such supersedeas bond as he deems proper, made payable to the State of Alabama in such amount as he shall require.

(o) The State Department of Public Health shall make such inspections, conduct such investigations, and do such other things as may be necessary to cooperate with the commission in carrying out the provisions of this Act.

(p) Upon complaint made by the commission, any person found guilty of willfully violating Section 4 or any order of the commission which is made in pursuance of the provisions of this Act and which has become final and conclusive as provided in this Act shall be deemed guilty of a misdemeanor.

(q) The commission may recover damages by action at law in the circuit court for loss or destruction of fish or marine life caused by pollution of the waters of the state resulting from the wrongful act, omission or negligence of a person. Both punitive and compensatory damages may be recovered in a case where the pollution resulted from willful or wanton conduct on the part of the polluter; compensatory damages alone may be awarded when the pollution is caused by a negligent act or omission. Damages shall not be allowed in any case when the pollution is the result of an act of God. Such suits shall be filed in the name of the State by the

attorney general, at the direction of the commission, in the county, or in the case of more than one county, in any county in which such fish or marine life or any part thereof were so destroyed or killed. Such sums as may be recovered as punitive or compensatory damages for the loss of destruction of fish or marine life shall be credited as follows: $\frac{1}{2}$ to General Fund of State and $\frac{1}{2}$ to General Fund of the County or Counties in which fish kill occurred.

Section 5. Funds, facilities and personnel. The commission is authorized to accept and use such funds, facilities, or personnel as may be or may become available for the purposes of this Act, either directly to the commission or in any of the state departments or from federal or other agencies represented; but nothing herein shall be construed to limit, modify, or supersede any of the powers or duties of said cooperating departments or agencies unless in direct conflict with this Act, nor to interfere with the power of each such department or agency to determine the disposition of funds specifically appropriated to it and to select, employ and control all of its employees regardless of the fact that said employees may be assigned and devoting the whole or a part of their time to work under the direction of the commission. There is hereby created and there shall be a fund which shall be known as the water improvement commission fund. This fund shall consist of: (a) All moneys appropriated to the commission by the State legislature of Alabama; (b) All moneys received by the commission by appropriation from county or municipal governments; (c) All gifts, grants, bequests or donations from individuals, associations, corporations or industries; (d) All moneys derived through any source of Federal aid; and (e) All moneys accruing to the commission from any source whatsoever. The fund shall be used and expended by the chairman of the commission in accordance with the terms of the gift, grant, bequest, appropriation or donation from which said moneys are derived, and in the absence of any such terms or stipulations shall be expended by the chairman of the commission in furtherance of any of the provisions of this Act. All necessary expenses of the Commission shall likewise be paid out of said fund on the requisition of the chairman of the commission as may be deemed advisable. The commission is authorized to employ such consultants and full time technical and clerical and other workers as are necessary and within the available funds to carry out the purposes of this Act. The technical staff to be employed by the commission shall be selected from, but not limited to, the following professional groups: sanitary engineer, chemical engineer, biochemist, geologist, fish culturist, mining engineer, agricultural engineer, forest engineer, analytical chemist, agronomist, bacteriologist, and biologist.

Section 6. Act intended to supplement existing law. This Act is intended to supplement existing law, and no part thereof shall be construed to repeal any existing laws specifically enacted for the protection of health or the protection of fish and game of the state; however, Act No. 523, Regular Session of 1947 (Gen. Acts 1947, p. 379) as amended, is hereby expressly repealed.

Section 7. The members of the Water Improvement Commission who are serving their terms upon the effective date of this Act shall, upon the effective date of this Act, become members of the commission herein established, it being the intent that the present membership of the Water Improvement Commission constitute and become the new commission with the terms of each of the members remaining unchanged. It is further provided that all of the matters now pending before the Water Improvement Commission be and the same are hereby transferred to the jurisdiction of the new commission and that all actions heretofore taken and jurisdiction heretofore exercised by the Water Improvement Advisory Commission or Water Improvement Commission, as the case may be, shall be considered as having been acts of the new commission, it being the intent of this Act that the new commission supersede and replace, but continue all business and affairs, of the Water Improvement Commission.

Section 8. If any clause, sentence, paragraph, provision, part or section of the Act shall for any reason be adjudged by any court of competent jurisdiction invalid, such judgment shall not affect, impair or invalidate the remainder thereof but shall be confined in its operation to the clause, sentence, paragraph, provision, part or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 9. This Act shall take effect on the first day of the month next following the date of its enactment.

And the substitute was adopted.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Perry
Albea	Cooper	Heflin	Pierce
Avery	Cornett	Hester	Powell
Bailes	Crawford	Hogan	Pruitt
Baker (Madison)	Daniel	Holladay	Rast
Barnett	Doggett	Ingram	Reynolds
Bassett	Dominick	Jones (Covington)	Rogers
Bethea (B)	Downing	Jones (Monroe)	Salter
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Boston	Edwards (Lowndes)	McDermott	Smith
Bowers	Engel	Martin	Snell
Branyon	Etheredge	Mashburn	Steagall
Brown (Jefferson)	Fields	Meeks	Stembridge
Brown (Tuscaloosa)	Fite	Merrill	Sullivan
Burnham	Gilmore	Moore	Teel
Burns	Glass	Morrow	Thomas
Callahan	Goodwyn	Nabors	Turner (Crenshaw)
Camp	Grouby	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Nettles	Turnham
Cantrell	Hain	Owens	Vacca
Casey	Hankins	Paulk	Wood
Cates	Hannah	Pennington	Young
Collins	Harper		

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Mr. Sullivan offered the following amendment to the bill, H. 130, as amended:

AMENDMENT TO SUBSTITUTE FOR H. B. NO. 130

Amend subsection (q) of Section 4 by adding at the end thereof the following:

"Provided, however, that the punitive damages shall not be more than the amount of the actual or compensatory damages."

On motion of Mr. McCorquodale the amendment offered by Mr. Sullivan was laid upon the table.

Yeas 66; Nays 24.

Yeas:

Mr. Speaker	Albea	Avery	Barnett
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Bevill	Dominick	Holladay	Powell
Blanton	Downing	Ingram	Reynolds
Bolton	Drake	Jones (Monroe)	Rogers
Bowers	Edington	Little	Scurlock
Branyon	Edwards (Escambia)	Locke	Smith
Burnham	Engel	McCorquodale	Snell
Burns	Faulk	McDermott	Steagall
Camp	Fields	Mashburn	Stembridge
Cantrell	Fite	Meeks	Teel
Casey	Glass	Moore	Turner (Crenshaw)
Cates	Grouby	Nabors	Turner (Limestone)
Cook	Hain	NeSmith	Turnham
Cooper	Hankins	Owens	Vacca
Crawford	Harper	Paulk	Wood
Daniel	Heflin	Pennington	Young
Doggett	Hester		

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Nays:

Messrs.	Collins	Hawkins	Perry
Bailes	Cornett	Hogan	Pruitt
Bethea (B)	Davis	Jones (Covington)	Rast
Brown (Jefferson)	Etheredge	Merrill	Slate
Brown (Tuscaloosa)	Gilmore	Morrow	Sullivan
Callahan	Goodwyn	Nettles	Thomas
Campbell (Tuscaloosa)			

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And said bill, H. 130, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 100; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Pierce
Bailes	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Doggett	Holladay	Reynolds
Bethea (B)	Dominick	Ingram	Rogers
Bethea (M)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Little	Session
Bolton	Edwards (Escambia)	Locke	Slate
Boston	Edwards (Lowndes)	McCorquodale	Smith
Bowers	Engel	McDermott	Snell
Branyon	Etheredge	Martin	Steagall
Brown (Jefferson)	Faulk	Mashburn	Stembridge
Brown (Tuscaloosa)	Fields	Meeks	Sullivan
Burnham	Fite	Merrill	Teel
Burns	Gilmore	Moore	Thomas
Callahan	Glass	Morrow	Turner (Crenshaw)
Camp	Goldthwaite	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turnham
Cantrell	Grouby	Nettles	Vacca
Casey	Hain	Owens	Wood
Cates	Hankins	Paulk	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 429. Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

Also:

H. 430. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

Also:

H. 416. Relating to Marion County; regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

Also:

H. 354. To amend further Section 1 of Act No. 550, S. 433, Regular Session 1947, which relates to the appointment, qualifications, tenure, and compensation of the superintendent of education of Geneva County.

Also:

H. 435. To create a court of general sessions for Washington County in lieu of the inferior court created by Act No. 22, H. 201, Regular Session 1949, abolishing the inferior court, and conferring upon the court of general sessions jurisdiction in certain civil cases at law.

Also:

H. 32. To provide that all paid firemen in cities or towns with a population of not less than 50,000 and not more than 60,000 or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 75. Expressing regret at the passing of Dean Charles Manfred Thompson and extending sympathy to his family.

Also:

H. J. R. 76. Congratulating Honorable Aubrey Green on his recent election as President of Lions International.

Also:

H. J. R. 77. Naming part of US Highway 78 as the "E. C. Ellison Highway".

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 338. To alter and rearrange the boundaries of the Town of Gordo, Pickens County, Alabama.

Also:

H. 372. Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws.

Also:

H. 373. For the relief of Grady Nesmith; authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

Also:

H. 374. For relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

Also:

H. 375. To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

Also:

H. 376. Relating to Washington County, regulating further the insuring of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

Also:

H. 381. Relating to counties having populations of not less than 15,500 nor more than 16,300; providing increases in pay for all employees of the county board of education in such counties.

Also:

H. 382. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 15,000 nor more than 15,300.

Also:

H. 426. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800

nor more than 26,700, according to the 1960 or any subsequent federal decennial census.

Also:

H. 427. Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

Also:

H. 428. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Also:

H. 423. To amend Section 10, Act Number 250 of the Regular Session of the Legislature of the State of Alabama, 1959.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 272. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their office.

Also:

H. 250. To regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201.

Also:

H. 275. Relating to counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties.

Also:

H. 277. Relating to counties having populations of not less than 15,300 nor more than 16,300; regulating the compensation of members of the county boards of education of such counties.

Also:

H. 276. Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of the county superintendents of education of such counties.

Also:

H. 281. To alter, rearrange, and extend the boundary lines and cor-

porate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Also:

H. 282. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County, so as to annex certain territory to the City.

Also:

H. 287. To define and regulate the business of well drilling in Madison County; to provide for the issuance of well drilling licenses by the Madison County Judge of Probate; to provide for the filing of a bond by the applicant for such a license; to provide for the adoption of rules and regulations by the Madison County Health Department; to provide for the inspection of well drilling activities by the Madison County Health Officer; to provide for the revocation of licenses; and to prescribe penalties.

Also:

H. 298. To repeal Act No. 502, approved November 19, 1959, an act relating to fixing the supplemental salaries of circuit judges in judicial circuits composed of only one county classified on a population basis (Acts of Alabama, 1959, Volume 2, page 1236).

Also:

H. 299. To supplement the state salary payable to the circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than sixty-five thousand nor more than ninety-five thousand, according to the most recent federal decennial census.

Also:

H. 302. Relating to the solicitor of the First Judicial Circuit; to provide for payment to him from the county treasuries of the counties composing the circuit of a monthly allowance for expenses.

Also:

H. 303. To authorize and direct the county board of education of all counties having populations of not less than 15,300 nor more than 15,400 according to the last or any subsequent federal decennial census to provide for increasing the salary or other compensation of school bus drivers in the county.

Also:

H. 313. Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties.

Also:

H. 317. To authorize and empower the Board of Revenue, Court of County Commissioners or other like governing bodies of all counties having a population in excess of 600,000 according to the last or any subsequent federal decennial census to provide and furnish uniforms for the personnel of any county home, poor farm, or alms house, owned and operated by any such county.

Also:

H. 318. To alter, extend and rearrange the corporate limits of the City of Birmingham, in the County of Jefferson, and State of Alabama, by the inclusion within the corporate limits of said City of certain additional territory now or formerly included within the City of Fairfield.

Also:

H. 319. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said city, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 124. To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Sullivan the House concurred in and adopted the Senate substitute for the bill, H. 124, said Senate substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Code of Alabama 1940, Title 51, Section 788, as amended, is amended further to read as follows:

"Section 788. (a) An excise tax is hereby imposed on the storage, use or other consumption in this state of tangible personal property (not including, however, materials and supplies bought for use in fulfilling a contract for the painting, repairing or reconditioning of vessels, barges, ships and other watercraft of more than fifty tons burden) purchased at retail on or after the first day of July 1963, for storage, use or other consumption in this state at the rate of four percent of the sales price of such property, except as provided in subsections (b) and (c).

"(b) An excise tax is hereby imposed on the storage, use or other consumption in this state of any machines used in mining, quarrying, compounding, processing and manufacturing of tangible personal property, pur-

chased at retail on or after July 1, 1963, at the rate of one and one-half percent of the sales price of any such machine; provided, that the term 'machines', as herein used, shall include machinery which is used for mining, quarrying, compounding, processing, or manufacturing tangible personal property, and the parts of such machines, attachments and replacements therefor, which are made or manufactured for use on or in the operation of such machines and which are necessary to the operation of such machines and are customarily so used.

"(c) An excise tax is hereby imposed on the storage, use or other consumption in this state of any automobile vehicle or truck trailer, semi-trailer or house trailer purchased at retail on or after July 1, 1963, for storage, use or other consumption in this state at the rate of one and one-half percent of the sales price of such automotive vehicle, truck trailer, semi-trailer or house trailer. Where any used automobile vehicle or truck trailer, semi-trailer or house trailer is taken in trade, or in a series of trades the tax levied herein shall be paid on the net difference, that is, the price of the new or used vehicle sold less the credit for the used vehicle taken in trade.

"Every person storing, using or otherwise consuming in this state tangible personal property purchased at retail shall be liable for the tax imposed by this article, and the liability shall not be extinguished until the tax has been paid to this state; provided, however, that a receipt from a retailer maintaining a place of business in this state or a retailer authorized by the department, under such rules and regulations as it may prescribe, to collect the tax imposed hereby and who shall for the purpose of this article be regarded as a retailer maintaining a place of business in this state, given to the purchaser in accordance with the provisions of Section 791 of this title, shall be sufficient to relieve the purchaser from further liability for tax to which such receipt may refer."

Section 2. Any contractor who before the date of this enactment became obligated to furnish at a fixed price any materials, equipment, or supplies in the performance of such contract shall be entitled to a refund of one-fourth of all state sales taxes paid by him in respect of the purchase of materials, equipment, and supplies actually used and consumed on or after July 1 and before October 1, 1963, in the performance of the contract.

The refund shall be made under such reasonable rules and regulations as the commissioner of revenue may prescribe, after the claimant has established by evidence satisfactory to the commissioner that he is lawfully entitled thereto. Claims for refunds must be made within 60 days after the taxes have been paid, and such claims shall be paid out of current tax collections.

Section 3. This tax shall be paid into the Alabama Special Educational Trust Fund with the provision that beginning October 1, 1963, the sum of \$300,000, or as much thereof as may be necessary shall be used each year as a part of the State Minimum Program Fund for the education and/or training of exceptional children including the administration, maintenance, and operation of classrooms, classes, and teachers for such classes in accordance with Act No. 249, approved August 16, 1955, with the further provision that said special allocation shall be in addition to all other allocations from the Minimum Program Fund for exceptional children.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective July 1, 1963.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Cooper	Heflin	Perry
Albea	Crawford	Hester	Pierce
Avery	Daniel	Hogan	Powell
Bailes	Davis	Holladay	Rast
Barnett	Doggett	Ingram	Reynolds
Bassett	Dominick	Jones (Monroe)	Rogers
Bethea (B)	Drake	Little	Salter
Bethea (M)	Edington	Locke	Scurlock
Bevill	Edwards (Escambia)	McCorquodale	Sessions
Bolton	Edwards (Lowndes)	McDermott	Slate
Boston	Engel	Martin	Smith
Bowers	Etheredge	Mashburn	Snell
Brown (Jefferson)	Faulk	Meeks	Steagall
Brown (Tuscaloosa)	Fite	Merrill	Stembridge
Burnham	Gilmore	Moore	Sullivan
Burns	Glass	Morrow	Teel
Callahan	Goodwyn	Nabors	Thomas
Camp	Hain	NeSmith	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hankins	Nettles	Turner (Limestone)
Casey	Hannah	Owens	Turnham
Cates	Harper	Paulk	Vacca
Collins	Hawkins	Pennington	Wood
Cook			

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Nay:

Mr. Jones (Covington)

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 125. To amend Section 3 of Act No. 106, H. B. 81, Second Special Session 1963, entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959, entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented,' in relation to the rate of such tax; amending Sections 2 and 24 thereof."

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Thomas the House concurred in and adopted the Senate substitute for the bill, H. 125, said Senate substitute being as follows:

A BILL TO BE ENTITLED AN ACT

To amend Section 3 of Act No. 106, H. B. 81, Second Special Session

1963, and to add Sections 4 and 5 to said Act entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959 entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented, in relation to the rate of such tax; amending Sections 2 and 24 thereof.'"

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Amend Section 3 of Act No. 106, H. B. 81, Second Special Session 1963, and add Sections 4 and 5 to said Act entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959 entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama, 1940, as amended and supplemented,' in relation to the rate of such tax; amending Sections 2 and 24 thereof," to read as follows:

"Section 3. Any contractor who before the date of this enactment became obligated to furnish at a fixed price any materials, equipment, or supplies in the performance of such contract shall be entitled to a refund of one-fourth of all state sales taxes paid by him in respect of the purchase of materials, equipment, and supplies actually used and consumed on or after July 1 and before October 1, 1963, in the performance of the contract. The refund shall be made under such reasonable rules and regulations as the commissioner of revenue may prescribe, after the claimant has established by evidence satisfactory to the commissioner that he is lawfully entitled thereto. Claims for refunds must be made within 60 days after the taxes have been paid, and such claims shall be paid out of current tax collections."

"Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains."

"Section 5. This Act shall take effect July 1, 1963."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 85; Nays 1.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Glass	Merrill
Albee	Casey	Hain	Morrow
Avery	Collins	Hankins	Nabors
Bailes	Cook	Hannah	NeSmith
Barnett	Cooper	Harper	Nettles
Bassett	Cornett	Hawkins	Owens
Bethea (B)	Daniel	Heflin	Paulk
Bethea (M)	Davis	Hester	Pennington
Bolton	Doggett	Hogan	Perry
Boston	Drake	Holladay	Pierce
Bowers	Edgington	Ingram	Powell
Branyon	Edwards (Escambia)	Jones (Monroe)	Pruitt
Brown (Jefferson)	Edwards (Lowndes)	Little	Rast
Brown (Tuscaloosa)	Engel	Locke	Reynolds
Burnham	Etheredge	McDermott	Rogers
Burns	Faulk	Martin	Salter
Callahan	Fite	Mashburn	Scurlock
Camp	Gilmore	Meeks	Sessions

Slate	Sullivan	Turner (Grenshaw)	Vacca
Smith	Teel	Turner (Limestone)	Wood
Steagall	Thomas	Turnham	Young
Stembridge			

—85

Nay:

Mr. Jones (Covington)

—1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. McCain:

S. 197. Relating to Tuscaloosa County, providing for a reorganization of the board of revenue, abolishing the existing board and providing for the qualifications, election, tenure, compensation, powers and duties of a newly constituted board, repealing conflicting laws, and making the operation of the Act conditional upon approval of the voters of the county.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that a Bill substantially as follows will be introduced in the Legislature of Alabama, and a request made for its passage.

A BILL TO BE ENTITLED
AN ACT

Relating to Tuscaloosa County, providing for a reorganization of the board of revenue, abolishing the existing board and providing for the qualifications election, tenure, compensation, powers, authority, and functions of a court of county commissioners, as provided by the general laws of Alabama. The board of revenue of Tuscaloosa County as established by Act No. 729, H. 1683, Regular Session 1915 (Local Acts 1915, p. 470) shall be abolished as of the first Monday after the second Tuesday in January 1965.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. From the first Monday after the second Tuesday in January 1965, the board of revenue of Tuscaloosa County shall consist of a chairman and two associate members. Except as otherwise provided in this Act, such board shall have all the jurisdiction, powers, authority, and functions of a court of county commissioners, as provided by the general laws of Alabama. The board of revenue of Tuscaloosa County as established by Act No. 729, H. 1683, Regular Session 1915 (Local Acts 1915, p. 470) shall be abolished as of the first Monday after the second Tuesday in January 1965.

Section 2. The chairman of the board of revenue shall be a qualified elector of Tuscaloosa County, and shall be elected by the qualified electors of the entire county. The chairman shall be elected at the general election to be held in 1964, and every four years thereafter, and shall hold office for a term

of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The two associate members of the board of revenue shall be qualified electors of Tuscaloosa County, shall be elected by the qualified electors of the entire county, and shall be elected at the general election to be held in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following their election, and until their successors are elected and qualified.

Section 3. The chairman of the board shall be its presiding officer and shall have the same powers and authority as other members in passing upon all questions, and shall sign the minutes of the proceedings of the board, and shall sign all warrants drawn on the county treasury. For this purpose, the chairman shall appoint a county comptroller in accordance with the county merit system law to perform the duty of reviewing and approving all warrants drawn on the county depository. It shall further be the duty of the chairman to receive information and prepare the agenda for the sessions of the board, to see to the execution of all orders and resolutions thereof, and to report to the board all infractions of the revenue law in the county of which he can obtain authentic information. He shall exercise all the powers and perform all the duties required by general law of judges of probate in their capacity as chairmen of the courts of county commissioners, boards of revenue, or other county governing bodies.

Section 4. The chairman of the board shall:

(a) Superintend the installation, maintenance, and keeping of all accounting and reporting records required of the board;

(b) Prepare, or cause to be prepared, and present to the board for approval, not later than the second Monday of August in each year, a county budget in the form of an estimate of the revenues anticipated and the required expenses for the several divisions of the county government for the next succeeding fiscal year;

(c) Upon the adoption of a budget for the county by the board, he shall be responsible for the execution of the budget and for insuring that all expenditures of county funds are made in strict compliance therewith;

(d) Have direct control and responsibility with respect to all property of the county over which the board has authority; maintain and keep such property in repair; maintain in a permanent record a perpetual inventory of such property; require the use of decals on all county road equipment and machinery to indicate ownership by Tuscaloosa County; and insure all of such property as the board may direct;

(e) Have general powers of superintendence over, and authority to employ and discharge, all clerical, secretarial, and custodial employees in the office of the board; but such employment shall apply only to positions authorized by the board in accordance with the provisions of the merit system law applicable to the county;

(f) Have general powers of superintendence for the county in regard to all purchases authorized by law to be made by the board, approving requisitions for purchases from the several divisions of the county government;

(g) When he deems proper or when directed by the board, he shall examine or cause to be examined the accounts and records of any and all county offices from which revenue is derived; demand and receive all monies due the county from any such office; and institute proceedings for recovery due the county against all defaulters;

(h) When he deems proper or when directed by the board, he shall examine or cause to be examined the accounts and records of any division of the county government which disburses or uses county funds and

(i) Perform such other duties as may be lawfully delegated to him by the board.

Section 5. The chairman of the board of revenue shall devote his entire time to the performance of his official duties and shall receive an annual salary of \$10,000. The associate members of the board shall devote as much time as may be necessary to the performance of their official duties. Each associate member of the board shall receive an annual salary of \$4,800. The salaries of the chairman and members of the board, as provided herein, shall be paid in monthly installments from any funds in the county treasury available for that purpose, as provided by law. The salary of the chairman and of each member shall be his entire compensation for the services required of him under this Act or for any other duties attached to his office by law. The associate members of the board shall not receive any allowance for transportation, nor shall they be provided county owned motor vehicles for their use.

Section 6. Before entering upon the discharge of the duties of their respective offices, the chairman and associate members of the board shall each execute an official bond, in the manner and according to the terms prescribed in Chapter 2, Title 41, Code of Alabama, which shall be conditioned, approved, filed and recorded as prescribed in said statutes. And all employees of the board who are required or allowed to handle public money shall also be required to give bond. The premiums on the bonds of county officers and employees shall be paid by the county.

Section 7. The board of revenue shall have and exercise all the power and authority vested by law in courts of county commissioners relative to the establishment, construction, location, repair, and maintenance of roads and bridges, provided that the responsibility for the administration of the county road system shall rest collectively with the membership of the board of revenue and the county shall be considered as a single road district. To this end, the board shall employ a county engineer, who shall superintend the construction, repair and maintenance of all county roads and bridges, and perform such engineering and surveying services as may be required.

Section 8. The board of revenue shall hold regular meetings on Monday of each week and may hold special meetings upon the call of either the chairman or the associate members of the board. A majority of the members of the board shall constitute a quorum for the transaction of business. The board shall keep complete and accurate written minutes of all business transacted at its meetings, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read, and all minutes shall be open to public inspection at all reasonable times.

Section 9. Act No. 729, H. 1683, Regular Session 1915 (Local Acts 1915, p. 470), the act creating a board of revenue for Tuscaloosa County, and all laws or parts of laws in conflict with this Act are expressly repealed.

Section 10. The substantial provisions of this Act shall become effective only if approved by a majority of the qualified electors of Tuscaloosa County who vote thereon in a referendum election, which shall be held thereon on the same day as the first special county wide election held in the county after the date of this enactment; provided, that if no such election is held before January 1, 1964, a special election shall be held before February 1 thereafter following. The referendum election shall be called by

the probate judge of Tuscaloosa County and notice thereof shall be given by publication once a week for four consecutive weeks in a newspaper of general circulation within the county. The election shall be called, held and conducted as nearly as may be in accordance with general laws providing for special elections on the levying of county school taxes. On the ballots to be used at the referendum election the question shall be stated substantially as follows: "Shall the provisions of the act of the Legislature of Alabama of 1963 providing for a reorganization of the board of revenue of Tuscaloosa County be approved? Yes () No ()." If a majority of the votes cast in the referendum election are "yes," all provisions of this act shall become fully effective; however, if a majority of the votes cast are "no," this Act shall have no further effect. The probate judge of Tuscaloosa County shall certify the result of the election to the Secretary of State of Alabama within 30 days from the date of the election.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the GRAPHIC, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive week without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1963.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me June 3, 1963.

TOTSIE JONES,
Title Notary Public.

Also:

By Mr. McCain:

S. 198. Relating to Tuscaloosa County, providing for and requiring a system of central purchasing for the county, county departments, offices and agencies, and making the operation of the Act conditional.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN that a Bill substantially as follows will be introduced in the Legislature of Alabama and a request made for its passage.

A BILL TO BE ENTITLED AN ACT

Relating to Tuscaloosa County, providing for and requiring a system of central purchasing for the county, county departments, offices and agencies, and making the operation of the Act conditional.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Tuscaloosa County shall appoint a county purchasing agent, prescribe his tenure, and fix his compensation, under the terms of the county merit system law. Subject to the supervision of the chairman of the county governing body, the purchasing agent shall be responsible for the purchase of all supplies, materials, equipment and contractual services required by any department or office of the county government subject to the provisions set forth in this Act. The purchasing agent shall have authority:

(a) To establish standard specifications for supplies, equipment, materials and contractual services used by county official officers, and departments;

(b) To operate a central storeroom now operated by, or hereafter established by the county government;

(c) To require county officers offices, and departments to prepare estimates of requirements;

(d) To transfer among the county officers, offices, and departments surplus supplies, equipment, and materials, or to sell surplus or obsolete items after receiving at least three competitive bids upon such surplus or obsolete items; and

(e) To promulgate reasonable rules and regulations governing the acquisition of supplies, materials and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The terms "supplies," "materials," and "equipment" as used throughout this Act shall be construed to mean any and all articles or things which shall be used by or furnished to any department or office of the county government. The term "contractual services" shall be construed to mean any and all printing, telephone, telegraph, postal, electric light and power service, or water, towel and soap service. For purposes of this Act "contractual services" shall not be construed to mean contracts for legally recognized professional or other personal services. Except as otherwise provided in this Act, any and all supplies, materials, equipment or contractual services needed by one or more departments or offices of the county government shall be directly purchased or contracted for by the county purchasing agent in accordance with rules and regulations adopted pursuant to this Act.

Section 3. All purchases of, and contracts for, supplies, materials, equipment and contractual services, and all sales of such personal property which has become obsolete and unusable, shall except as herein provided, be based on competitive bids. The purchasing agent shall obtain at least three written, sealed, competitive bids for all purchases of or contracts for supplies, equipment, materials, and contractual services when the amount involved is five hundred dollars (\$500) or more. If the purchase or contract involves an amount less than five hundred dollars, the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than five hundred dollars for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county courthouse and sent to prospective suppliers at least one week before the final date for submitting the bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitation. The purchasing agent shall award the purchase to the lowest

responsible bidder, taking into consideration the qualities of the articles to be supplied, their conformity with the specifications, their suitability to the requirements of the county government, and the delivery terms. He may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent may obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of items to be purchased on competitive bids, and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids may be rejected and the purchase may be made through the state purchasing agent.

Section 4. In an emergency arising from unforeseen causes, including (but without limiting the generality of foregoing clause) delay by contractors, delay in transportation, breakdown in machinery or other work stoppage, and unanticipated volume of work the purchasing agent may make a purchase costing five hundred dollars or more by soliciting three competitive bids informally, either verbally, or by telephone, telegraph, or letter. If the emergency involves actual danger to life or property, however, the provisions of this Act regarding competitive bidding may be waived. The provisions of this Act requiring purchases to be made through the county purchasing agent shall not apply to purchases of perishable commodities, items and services of a technical or specialized nature, utility service, and commodities or services for which there is no competitive situation. The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of purchases amounting to no more than ten dollars, provided that no such purchase shall be part of a larger purchase which has been divided for the purpose of coming within this exception.

Section 5. All county officers, offices, and departments shall inspect, upon delivery, all supplies, materials, and equipment purchased by the purchasing agent and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase.

Section 6. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this Act shall be personally liable for the costs of such order or contract, and, if already paid for out of county funds, the amount thereof may be recovered in the name of the county in an appropriate action instituted therefor.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. The operation of this Act is conditional upon approval by the electorate of Tuscaloosa County of an act enacted by the Legislature of Alabama in 1963 providing for a reorganization of the board of revenue of Tuscaloosa County. If that Act becomes operative as provided therein, this Act shall be in full force and effect from the first Monday after the second Tuesday in January, 1965.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me

first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the GRAPHIC, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1963.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me June 3, 1963.

TOTSIE JONES,
Title Notary Public.

Also:

By Mr. McCain:

S. 199. Relating to Tuscaloosa County, providing for and requiring a county unit system for the construction, repair, and maintenance of roads and bridges under the management and control of the board of revenue and superintendence of a county engineer.

With notice and proof thereto attached and herewith exhibited as follows:

NOTICE IS HEREBY GIVEN that a bill substantially as follows will be introduced in the Legislature of Alabama and a request made for its passage.

A BILL TO BE ENTITLED AN ACT

Relating to Tuscaloosa County, providing for and requiring a county unit system for the construction, repair, and maintenance of roads and bridges under the management and control of the board of revenue and superintendence of a county engineer.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of revenue, court of county commissioners, or other like governing body of Tuscaloosa County shall have and exercise all the jurisdiction and powers which are or may hereafter be by law vested in the courts of county commissioners, boards of revenue, or other like county governing bodies with respect to the establishment, construction, repair, and maintenance of public roads and bridges, and the members thereof shall perform all the duties and services and exercise all the powers which are or may be provided by law for members of courts of county commissioners, boards of revenue, or other like county governing bodies of this state, provided that the responsibility of the administration of the county road system shall rest collectively with the board of commission, and for the purposes of this Act, the county shall be considered as a single road district.

Section 2. The board of revenue, court of county commissioners, or other like governing body of the county shall employ a county engineer, who shall be a person qualified by training, experience, and capacity to perform efficiently the duties of his position. The engineer shall devote his entire time to the performance of his duties and shall not be engaged in any other business or professional activity during the term of his employment. He may be a non-resident of Tuscaloosa County at the time of his

appointment but shall be required to reside in the county during the term of his employment. The county engineer shall receive such annual salary as may be prescribed by the board of revenue, court of county commissioners, or other like governing body of Tuscaloosa County, which shall be payable in equal monthly installments from any funds available for that purpose according to law.

Section 3. The county engineer shall be appointed from a list of three persons nominated by the state highway director. However, if no person so nominated is acceptable the board may request the highway director to make additional nominations. If the highway director fails or refuses to make nominations, the board may fill the position of county engineer by appointment of any person who has the qualifications hereinabove prescribed.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall take effect only upon the approval by the electorate of Tuscaloosa County of an act enacted by the Legislature of Alabama in 1963 which provides for a reorganization of the board of revenue of Tuscaloosa County. If that Act is not approved, this Act shall have no effect. However, if that Act is approved as provided for therein, this Act shall be effective from the first Monday after the second Tuesday in January 1965.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the GRAPHIC, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 23, all in the year 1963.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me June 3, 1963.

TOTSIE JONES,
Title Notary Public.

Also:

By Mr. McDow:

S. 147. Relating to the office of solicitor of the Eighteenth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Also:

By Mr. Wilson:

S. 192. Relating to counties having populations of not less than

51,000 nor more than 56,000; prescribing the time when county offices may be closed.

Also:

By Mr. Tyson:

S. 236. Proposing an amendment to the Constitution regulating the power of municipalities of Mobile County to levy certain privilege license taxes.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 197. Local Legislation No. 1.
- S. 198. Local Legislation No. 1.
- S. 199. Local Legislation No. 1.
- S. 147. Ways and Means.
- S. 192. Local Legislation No. 1.

S. 236. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 438. To amend Section 10 of Act No. 17, H. 21, Regular Session 1957 (Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

Also:

H. 450. Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Also:

H. 467. Proposing an amendment to the Constitution of Alabama relating to York in Sumter County, and ordering an election there.

Also:

H. 134. To amend Section 5 of Act No. 261, H. 808, Regular Session 1955 (Acts 1955, v. 1, p. 606), the act providing that the state highway

department shall construct, maintain, and repair the roads and bridges of Cherokee County, in relation to the hours of work and pay of personnel employed in road and bridge work in the county.

Also:

H. 384. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 445. To further amend Section 712 of Title 51, Code of Alabama 1940 as amended so that certain requirements do not apply in counties of over 600,000 population.

Also:

H. 296. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Eddins:

S. 29. To amend further Code of Alabama 1940, Title 52, Section 77, which relates to the operation of boundary line schools.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 29. Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Adams:

S. 168. To Amend Section 4 of Act No. 119 of the Regular Session of the legislature of 1961, an act providing for deputies, clerks and other

assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks and assistants.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF HOUSTON

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To Amend Section 4 of Act No. 119 of the Regular Session of the Legislature of 1961, an act providing for deputies, clerks and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks and assistants.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 4 of Act No. 119 of the Regular Session of the Legislature of Alabama of 1961 (Acts of Alabama 1961, Vol. 1, page 159), an act providing for the employment of deputies, clerks and other assistants to certain officers of Houston County, is amended to read as follows:

"Section 4. The clerk of the Circuit Court of Houston County, Alabama, is hereby authorized and empowered to appoint one chief clerk whose compensation shall be an annual salary of not more than thirty-six hundred dollars (\$3600.00) during the first year of his employment; and two additional clerks whose salaries shall not exceed twenty-four hundred dollars (\$2400.00) each during the first year of each clerk's employment. The chief clerk and the two additional clerks herein authorized shall be entitled to an increase in salary after each year of employment through the first ten years of such employment of ten dollars (\$10.00) per month; and thereafter each shall be entitled to an additional increase of twenty dollars (\$20.00) per month after each additional five year period of employment, provided, however, that the salary of each clerk shall not exceed five thousand dollars (\$5,000.00) per annum. Such increases shall be subject to the approval of the clerk of the circuit court. The provisions of this Act regarding the starting salary of the chief clerk shall only apply to a chief clerk who may be appointed by the clerk of the circuit court after March 1, 1961."

Section 2. All the laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective October 1, 1963 after its approval by the Governor or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Dothan Eagle, a newspaper of general

circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-6, 5-13, 5-20, and 5-27, all in the year 1963.

MIRL CROSBY.

Sworn to and subscribed before me May 28, 1963.

B. WALLACE MILLER,
Title Notary Public.

Also:

By Mr. Evans:

S. 163. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Butler so as to annex certain territory to the town.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICES

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries and corporate limits of the Town of Butler so as to annex certain territory to the town.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the Town of Butler in Choctaw County are hereby altered, rearranged, and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within the boundaries and corporate limits, to-wit:

E½ of NW¼ of Section 18, Township 13 North, Range 2 West; and the SW¼ of SE¼ of Section 7, Township 13 North, Range 2 West, in Choctaw County.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF CHOCTAW

I, Mr. Hollis Curl; Editor and General Manager of The Choctaw Advocate, a newspaper published in Butler, Choctaw County, Alabama, do hereby certify that a copy of the Extension of City Limits as per clipping hereto attached, was published in the regular and entire issue of said news-

paper, and not any supplement thereof, for 4 consecutive weeks commencing with the issue date 4-4 1963, and ending with the issue dated 4-25, 1963. I further certify that I have the right and authority to make this affidavit.

M. HOLLIS CURL,

Sworn and subscribed to before me this, the 15 day of May, 1963.

JANICE W. BLOUNT,
Title Notary Public.

Also:

By Mr. Adams:

S. 169. To establish in the 20th Judicial Circuit of Alabama the Office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the general funds of Houston and Henry Counties of Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF HOUSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in the 20th Judicial Circuit of Alabama (composed of Henry County and Houston County), there is hereby established the office of Clerk-Secretary to the Solicitor of the 20th Judicial Circuit of Alabama.

Section 2. Immediately upon the passage of this Act, and its approval, the Solicitor of the 20th Judicial Circuit of Alabama, shall appoint a Clerk-Secretary who shall serve at the pleasure of the said Solicitor, and the said Clerk-Secretary may be removed from office at any time by the said Circuit Solicitor.

Section 3. The said Clerk-Secretary shall do all of the clerical and secretarial work required of such Clerk-Secretary by the Circuit Solicitor of said 20th Judicial Circuit of Alabama, and shall keep such records and perform such other duties pertaining to the office of the Circuit Solicitor,

as such Clerk-Secretary shall be instructed or required to do so by the said Solicitor of said 20th Judicial Circuit. The said Clerk-Secretary, when directed by the Solicitor, may enter the grand jury room when the grand jury is in session for the purpose of taking down the testimony of witnesses and later transcribing it for the use of the solicitor or his deputies and assistants.

Section 4. The said Clerk-Secretary to the Circuit Solicitor of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Solicitor, not to exceed the sum of Three Thousand Six Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Solicitor in favor of such Clerk-Secretary.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HOUSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-26, 5-3, 5-10, and 5-17, all in the year 1963.

MIRL CROSBY,

Sworn to and subscribed before me May 28, 1963.

B. WALLACE MILLER,
Title Notary Public.

A BILL TO BE ENTITLED AN ACT

To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in the 20th Judicial Circuit of Alabama (composed of Henry County and Houston County), there is hereby established the office of Clerk-Secretary to the Solicitor of the 20th Judicial Circuit of Alabama.

Section 2. Immediately upon the passage of this Act, and its approval, the Solicitor of the 20th Judicial Circuit of Alabama, shall appoint a Clerk-

Secretary who shall serve at the pleasure of the said Solicitor, and the said Clerk-Secretary may be removed from office at any time by the said Circuit Solicitor.

Section 3. The said Clerk-Secretary shall do all of the clerical and secretarial work required of such Clerk-Secretary by the Circuit Solicitor of said 20th Judicial Circuit of Alabama, and shall keep such records and perform such other duties pertaining to the office of the Circuit Solicitor, as such Clerk-Secretary shall be instructed or required to do by the said Solicitor of said 20th Judicial Circuit. The said Clerk-Secretary, when directed by the Solicitor, may enter the grand jury room when the grand jury is in session for the purpose of taking down the testimony of witnesses and later transcribing it for the use of the solicitor or his deputies and assistants.

Section 4. The said Clerk-Secretary to the Circuit Solicitor of the 20th Judicial Circuit of Alabama shall receive a salary to be fixed and determined by said Solicitor, not to exceed the sum of Three Thousand Six Hundred Dollars per annum, which shall be payable in monthly installments out of the general fund of the counties composing said 20th Judicial Circuit of Alabama, each county to pay its pro rata of such salary, based upon the assessed value of all taxable property of such county or counties for the preceding year, on certificate issued by the Solicitor in favor of such Clerk-Secretary.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HENRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. Edward Dodd, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Abbeville Herald, a newspaper of general circulation published in Henry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on April 25, May 2, May 9, and May 16, all in the year 1963.

J. EDWARD DODD,

Sworn to and subscribed before me May 28, 1963.

NATHALIE S. DODD,
Title Notary Public.

Also:

By Mr. Adams:

S. 170. To make an appropriation from the county treasury of Houston County for the relief of Mrs. A. R. Gissendanner.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF HOUSTON**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To make an appropriation from the county treasury of Houston County for the relief of Mrs. A. R. Gissendanner.

Preamble

Between closing time on December 5, 1962, and 8:00 o'clock A.M. on December 6, 1962, the office of Mrs. A. R. Gissendanner, Register of the Circuit Court of Houston County and the Houston Law and Equity Court, was entered and burglarized of \$413.00 by a convict who was a trusty working in the Houston County Courthouse.

Whereas, Mrs. A. R. Gissendanner is held personally responsible under the law for monies received through her office and has paid the deficiency from her personal funds, which sum is not subject to reimbursement or recovery at law.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$413.00 is hereby appropriated from the treasury of Houston County to reimburse Mrs. A. R. Gissendanner for the personal loss sustained by her by reason of the burglary of money for which she was responsible. The county commission, board of revenue or other like governing body of Houston County is hereby directed to draw or cause a warrant to be drawn on the county treasury in favor of the said Mrs. A. R. Gissendanner for the amount herein appropriated.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF HOUSTON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mirl Crosby who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Business Manager of the The Dothan Eagle, a newspaper of general circulation published in Houston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 4-24, 5-1, 5-8, and 5-15, all in the year 1963.

MIRL CROSBY,

Sworn to and subscribed before me May 28, 1963.

B. WALLACE MILLER,
Title Notary Public.

Also:

By Mr. Taylor:

S. 154. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 24,525 nor more than 24,675 according to the last or any subsequent federal decennial census.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 168. Local Legislation No. 1.

S. 163. Local Legislation No. 1.

S. 169. Local Legislation No. 1.

S. 170. Local Legislation No. 1.

S. 154. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Cooper:

S. 202. To amend sections 2 and 3 of Act No. 339, S. 188, Regular Session 1955 (Acts 1955, p. 761), relating to the solicitor's fund in the Fourth Judicial Circuit.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 202. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 72. Lamenting the tragic death of Air Force members and

their families, particularly the Rushings in recent crash of plane over the Gulf of Alaska.

Also:

H. J. R. 73. Naming H.J.R. 31.

Also:

H. J. R. 74. Commending the Band Director and members of the Elmore County Band for their outstanding performance during the recent contest at Virginia Beach Music Festival.

J. E. SPEIGHT,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 31. Relative to designating the Alabama State Coliseum "The Garrett Coliseum".

Also:

H. J. R. 67. Relative to adjournment of the two houses.

Also:

H. J. R. 68. Relative to inviting Mary D. Cain, of Summit, Mississippi, to speak to a joint session of the Legislature.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 72. Relative to the tragic death of T-Sgt. Amon Terrell Rushing and family.

Also:

H. J. R. 73. Relative to naming House Joint Resolution 31.

Also:

H. J. R. 74. Relative to congratulating and commending the Elmore County Band.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

ADJOURNMENT

On motion of Mr. Hester, and in accordance with H.J.R. 67 heretofore adopted, the House adjourned until Thursday, June 27, 1963, at ten o'clock A.M.

Yeas 43; Nays 41.

Yeas:

Messrs.	Cantrell	Goldthwaite	Morrow
Avery	Casey	Hankins	NeSmith
Bailes	Cooper	Hannah	Sessions
Baker (Madison)	Daniel	Harper	Slate
Bassett	Drake	Hester	Smith
Boston	Edwards (Escambia)	Ingram	Steagall
Branyon	Edwards (Lowndes)	Jones (Monroe)	Stembridge
Burnham	Etheredge	Little	Sullivan
Callahan	Fite	Martin	Teel
Camp	Gilmore	Mashburn	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Moore	Wood

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Nays:

Mr. Speaker	Downing	Holladay	Paulk
Albea	Edington	Jones (Covington)	Pennington
Bevill	Engel	Locke	Perry
Blanton	Faulk	McCorquodale	Pruitt
Bowers	Fields	McDermott	Rast
Cates	Goodwyn	Meeks	Reynolds
Collins	Grouby	Merrill	Rogers
Cornett	Hain	Nabors	Salter
Crawford	Heflin	Nettles	Scurlock
Davis	Hogan	Owens	Young
Doggett			

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EIGHTEENTH DAY

House of Representatives
Montgomery, Alabama
Thursday, June 27, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. J. R. White, Pastor, First Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Collins	Hankins	Owens
Albea	Cook	Hannah	Paulk
Avery	Cooper	Harper	Perry
Bailes	Cornett	Hawkins	Pierce
Baker (DeKalb)	Crawford	Heflin	Posey
Baker (Madison)	Daniel	Hester	Powell
Barnett	Davis	Hogan	Pruitt
Bassett	Doggett	Holladay	Rast
Bethea (B)	Dominick	Ingram	Reynolds
Bethea (M)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	Little	Scurlock
Bolton	Edwards (Escambia)	Locke	Sessions
Boston	Edwards (Lowndes)	McCorquodale	Slate
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Martin	Stembridge
Brown (Jefferson)	Faulk	Mashburn	Sullivan
Brown (Tuscaloosa)	Fields	Meade	Teel
Burnham	Fite	Meeks	Thomas
Burns	Gilmore	Merrill	Turner (Crenshaw)
Callahan	Glass	Moore	Turner (Limestone)
Camp	Goldthwaite	Morrow	Turnham
Cantrell	Goodwyn	Nabors	Vacca
Carr	Grouby	NeSmith	Wood
Casey	Hain	Nettles	Young
Cates			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the seventeenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the seventeenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the seventeenth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 75. Relative to mourning the death of Dean Charles Manfred Thompson.

Also:

H. J. R. 76. Relative to the Honorable Aubrey DeWitt Green.

Also:

H. J. R. 77. Relative to designating the "E. C. Ellison Highway."

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 250. To regulate further the bail bond business in counties having populations of not less than 57,000 nor more than 61,000; amending Code of Alabama 1940, Title 15, Section 201.

Also:

H. 272. To amend further Act No. 496, H. 930, Regular Session 1953 (Acts 1953, p. 624) which prescribes the salaries of certain officers of Chambers County and provides for their assistants and the office space and equipment necessary for the conduct of their offices.

Also:

H. 275. Relating to counties having populations of not less than 31,-

000 nor more than 32,000, according to the most recent federal decennial census; prescribing further the fees allowed sheriffs in such counties.

Also:

H. 276. Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of the county superintendents of education of such counties.

Also:

H. 277. Relating to counties having populations of not less than 15,500 nor more than 16,300; regulating the compensation of members of the county boards of education of such counties.

Also:

H. 281. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Also:

H. 282. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County, so as to annex certain territory to the City.

Also:

H. 287. To define and regulate the business of well drilling in Madison County; to provide for the issuance of well drilling licenses by the Madison County Judge of Probate; to provide for the filing of a bond by the applicant for such a license; to provide for the adoption of rules and regulations by the Madison County Health Department; to provide for the inspection of well drilling activities by the Madison County Health Officer; to provide for the revocation of licenses; and to prescribe penalties.

Also:

H. 298. To repeal Act No. 502, approved November 19, 1959, an act relating to fixing the supplemental salaries of circuit judges in judicial circuits composed of only one country classified on a population basis. (Acts of Alabama, 1959, Volume 2, page 1236).

Also:

H. 299. To supplement the state salary payable to the circuit judges by payments from the county treasury in all judicial circuits composed of only one county which has a population of not less than sixty-five thousand nor more than ninety-five thousand, according to the most recent federal decennial census.

Also:

H. 302. Relating to the solicitor of the First Judicial Circuit; to provide for payment to him from the county treasuries of the counties composing the circuit of a monthly allowance for expenses.

Also:

H. 303. To authorize and direct the county board of education of all counties having populations of not less than 15,300 nor more than 15,400 according to the last or any subsequent federal decennial census to pro-

vide for increasing the salary or other compensation of school bus drivers in the county.

Also:

H. 313. Relating to counties having populations of not less than 42,000 nor more than 46,000; fixing the compensation of election officials in such counties.

Also:

H. 317. To authorize and empower the Board of Revenue, Court of County Commissioners or other like governing bodies of all counties having a population in excess of 600,000 according to the last or any subsequent federal decennial census to provide and furnish uniforms for the personnel of any county home, poor farm, or alms house, owned and operated by any such county.

Also:

H. 318. To alter, extend and rearrange the corporate limits of the City of Birmingham, in the County of Jefferson, and State of Alabama, by the inclusion within the corporate limits of said City of certain additional territory now or formerly included within the City of Fairfield.

Also:

H. 319. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said city, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said city.

Also:

H. 338. To alter and rearrange the boundaries of the Town of Gordo, Pickens County, Alabama.

Also:

H. 372. Relating to Walker County; fixing the compensation of the county superintendent of education; repealing conflicting laws.

Also:

H. 373. For the relief of Grady Nesmith; authorizing the county governing body of Walker County to make an appropriation to compensate said Grady Nesmith for certain injuries.

Also:

H. 374. For relief of Robert Claud Reid; authorizing and directing the county governing body of Walker County to make an appropriation to compensate said Robert Claud Reid for certain damages.

Also:

H. 375. To provide for the relief of Howard Thomas; authorizing an appropriation from the funds of Walker County for such purpose.

Also:

H. 376. Relating to Washington County, regulating further the insur-

ing of certain public school buildings in the county, together with the equipment, furniture, fixtures, and other property of such buildings.

Also:

H. 381. Relating to counties having populations of not less than 15,500 nor more than 16,300; providing increases in pay for all employees of the county board of education in such counties.

Also:

H. 382. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 15,000 nor more than 15,300.

Also:

H. 423. To amend Section 10, Act Number 250 of the Regular Session of the Legislature of the State of Alabama, 1959.

Also:

H. 426. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700, according to the 1960 or any subsequent federal decennial census.

Also:

H. 427. Relating to Sumter County; to provide for employment of an additional assistant by the tax collector for portions of each fiscal year, whose compensation shall be paid by the county.

Also:

H. 428. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Also:

H. 354. To amend further Section 1 of Act No. 550, S. 433, Regular Session 1947, which relates to the appointment, qualifications, tenure, and compensation of the superintendent of education of Geneva County.

Also:

H. 416. Relating to Marion County: regulating further the business of money brokers and persons who lend money on notes or mortgages or other personal security, prohibiting the issuance of licenses to such persons under the Alabama Small Loan Act, and prescribing penalties.

Also:

H. 429. Relating to Washington County; requiring the marking of certain county vehicles, and prescribing penalties.

Also:

H. 430. To limit or restrict the jurisdiction of justices of the peace and notaries ex officio justice of the peace elected or appointed for any precinct in Washington County.

Also:

H. 32. To provide that all paid firemen in cities or towns with a population of not less than 50,000 and not more than 60,000 or more shall not be required to work in excess of 56 hours for any average week throughout the calendar year.

Also:

H. 435. To create a court of general sessions for Washington County in lieu of the inferior court created by Act No. 22, H. 201, Regular Session 1949, abolishing the inferior court, and conferring upon the court of general sessions jurisdiction in certain civil cases at law.

Also:

H. 134. To amend Section 5 of Act No. 261, H. 808, Regular Session 1955 (Acts 1955, v. 1, p. 606), the act providing that the state highway department shall construct, maintain, and repair the roads and bridges of Cherokee County, in relation to the hours of work and pay of personnel employed in road and bridge work in the county.

Also:

H. 296. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

Also:

H. 384. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 438. To amend Section 10 of Act No. 17, H. 21, Regular Session 1957 (Acts 1957, p. 43), the Bibb County sales and use tax act, so as to provide further for the use of the revenues from the taxes.

Also:

H. 445. To further amend Section 712 of Title 51, Code of Alabama 1940 as amended so that certain requirements do not apply in counties of over 600,000 population.

Also:

H. 450. Relating to counties having populations of not less than 22,350 nor more than 24,500; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Also:

H. 124. To amend further Code of Alabama 1940, Title 51, Section 788, which relates to the levy of the state use tax.

Also:

H. 125. To amend Section 3 of Act No. 106, H. B. 81, Second Spe-

cial Session 1963, and to add Sections 4 and 5 to said Act entitled "An Act, To amend Act No. 100, H. 94, Second Special Session 1959, entitled 'An Act to raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom, superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented, in relation to the rate of such tax; amending Sections 2 and 24 thereof.'"

Also:

H. 467. Proposing an amendment to the Constitution of Alabama relating to York in Sumter County, and ordering an election thereon.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 470. To make an additional appropriation for payment of expenses of the Legislature.

J. E. SPEIGHT,
Secretary.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 524. To further amend Section 254 of Title 13 of the Code of Alabama of 1940, which relates to the appointment and compensation of Deputy Solicitors of the Thirteenth Judicial Circuit.

H. 516. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$200,000 for the purpose of financing the construction, reconstruction, alteration and improvement of school facilities, including the construction and equipment of a gymnasium, for the Alabama Boys Industrial School.

The above bill was read a second time at length as required by the Constitution.

H. 615. To fix the pay of election officers; repealing conflicting laws.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 388. (With Amendment). To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited and to repeal all laws or parts of laws in conflict with the provisions of this Act.

H. 557. (With Amendment). To amend Sections 4 and 5 of Act No. 202, S. 27, Regular Session 1953, an act creating the board of corrections of Alabama (Acts 1953, v. 1, p. 267).

H. 436. (With Amendment). To make an appropriation from the state treasury to the use of the board of education of Bibb County for construction and equipment of a new high school at West Blocton.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 357. (With Substitute). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1964 and September 30, 1965, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 358. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

H. 359. To make appropriation for the support and maintenance of the Southern Industrial Institute.

H. 360. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

H. 361. To make appropriations from the state treasury for support and maintenance of the Marion Institute, located in Perry County.

H. 362. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

H. 616. To amend Section 492 of Title 2 of the Code of Alabama of 1940 relating to the expenditure of funds for compiling agricultural statistics.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 167. (With Substitute). To provide for the establishment, maintenance, and operation of a trade school for the prison system of Alabama at Draper Prison, and to provide an appropriation therefor.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 632. For the relief of Eddie Lee Bennett; making an appropriation of highway department funds to compensate him for personal injuries suffered by him while he was engaged in the performance of his regularly assigned duties as a convict leased to the State Highway Department by the State Board of Corrections.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 49. To adopt the Driver License Compact for the State of Alabama to insure maximum safety on the highways of the State of Alabama and her sister states; to designate the director of public safety as the Compact Administrator; to relate pertinent sections of existing law to this act; and for related purposes.

H. 633. To establish a sub-committee of the Alabama State Board of Education to give special study and consideration to and make recommendations to the State Board of Education concerning all matters requiring action of the State Board of Education pertaining to Vocational Education.

S. 52. To prevent nepotism in state service, prohibiting any officer or employee of the state or state agencies from appointing persons related to him to any office or position of profit with the state or any agency thereof, and prescribing penalties.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 519. To amend further Section 29, Act No. 207, S. 134, Regular Session 1949, the act known as the "Alabama Coal Mine Safety Law of 1949."

Mr. Bevell, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report,

with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 33. (With Amendment). Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

The above bill was read a second time at length as required by the Constitution.

H. 157. (With Amendment). To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

The above bill was read a second time at length as required by the Constitution.

H. 394. (With Amendment). To regulate further the conduct of elections; prescribing the time for returning certificates of results and certain other election material to the official entitled to receive such material; repealing conflicting laws; and prescribing penalties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 611. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

H. 612. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Blount County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 617. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

H. 639. Relating to Cities having a population of not less than 16,000, nor more than 26,000, according to the 1960 or any subsequent decennial census of the population of the United States; changing the method of electing, the designation of, and fixing the term of office of, members of the Board of Commissioners of any such City.

H. 640. To apply in all counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census: Fixing the compensation of the Clerk of the Jury Commission in all such counties.

H. 641. Relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers.

H. 643. To amend further Code of Alabama 1940, Title 19, Section 11, which relates to the appointment of commissioners in condemnation proceedings, so as to delete therefrom a proviso applicable to counties havnig

populations of not less than 51,000 nor more than 56,000.

S. 154. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 24,525 nor more than 24,675 according to the last or any subsequent federal decennial census.

S. 163. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Butler so as to annex certain territory to the town.

S. 168. To Amend Section 4 of Act No. 119 of the Regular Session of the Legislature of 1961, an act providing for deputies, clerks and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks and assistants.

S. 169. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the General Funds of Houston and Henry Counties of Alabama.

S. 170. To make an appropriation from the county treasury of Houston County for the relief of Mrs. A. R. Gissendanner.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 625. To amend Act No. 893, H. 1270, approved September 8, 1961 (Acts of Alabama, 1961, p. 1406), entitled "An Act Relating to Mobile County; To Fix the compensation of the clerk of the Circuit Court of Mobile County".

H. 627. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 554. (With Substitute). Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of compensation of constables serving the county court in such counties.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Heflin (With Notice and Proof):

H. 670. To amend further Section 8 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505) which act established the Board of Revenue and Control of Chilton County; providing for the nomination of each associate member by the authorized voters of the entire county.

Local Legislation No. 1.

Notice and Proof H. 670:

TO ELECT
BOARD MEMBERS
COUNTY-WIDE

A BILL TO BE ENTITLED
AN ACT

To amend further Section 8 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505) which act established the Board of Revenue and Control of Chilton County; providing for the nomination of each associate member by the authorized voters of the entire county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 8 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505), as amended, is hereby further amended to read as follows:

"Section 8. Each associate member of said board shall be nominated by the voters of the entire county who are authorized to participate in any primary election, caucus, or convention, called or held by any political party for the nomination of said office. Their nomination by the qualified voters of the district, or of any subdivision of said county less than the whole district, by any primary election, caucus, or convention, is hereby prohibited. Each said associate member shall be a resident and qualified voter of the district for which he is elected and shall reside in said district continuously during the term of his office."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHILTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. M. Tucker, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Chilton County News, a newspaper of general circulation published in Chilton County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

R. M. TUCKER.

Sworn to and subscribed before me June 25, 1963.

J. C. BURNETT.

By Messrs. Casey, Goodwyn, Albea and NeSmith:

H. 671. To provide for continuous code revision and to appropriate funds for that purpose, repealing conflicting laws.

Ways and Means.

By Mr. Casey:

H. 672. Proposing an amendment to the Constitution of Alabama providing allowances for former governors.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Mr. Turner (Crenshaw):

H. 673. Relating to the public revenue; further defining the terms "wholesale sale" or "sale at wholesale" used in administering the state sales and use tax statutes; repealing Section 481 of Title 51.

Ways and Means.

By Mr. Grouby:

H. 674. To further promote the agricultural interests of the state by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the state board of agriculture and industries and the commissioner of agriculture and industries in relation to such markets.

Local Government.

By Messrs. Dominick, Rast, Brown (Jefferson), Etheredge, Perry, Bailes, Vacca, Meeks, Morrow, Sessions, Gilmore, Hawkins and Collins:

H. 675. To amend further Act No. 452, H. 974, Regular Session 1955 (Acts 1955, p. 1004), relating to the establishment of a mayor-council form of municipal government in cities having populations of more than 200,000.

Local Legislation No. 2.

By Messrs. Etheredge, Rast, Brown (Jefferson), Sessions, Bailes, Vacca, Gilmore, Locke, Bethea (M), Hawkins, Perry, Morrow, Bethea (B), Bowers and Dominick:

H. 676. To apply in counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide further for the duties and authority of the judge of probate and the county commission or county governing body of such county; to regulate further the Probate Court and the offices of the Judge of Probate in such counties; to prescribe further the manner of keeping records and recording documents, instruments and paper; to authorize and permit the use of photograph or microphotograph machines for recording documents and papers, and for preserving such on film and microfilm; to direct the discontinuance

of keeping copies or prints or records in large and well-bound books, and to permit the storing or destruction of such books or records after photographing or reproducing the same on film records; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books", and to provide the manner of keeping records of the Probate of wills; to provide further the manner of entering partial or full satisfaction of the record of any mortgage lien or other instrument; to authorize the judge of probate to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to make inapplicable insofar as said counties are concerned, the provisions of Section 280 of Title 13, Code of Alabama, 1940, as amended, and to amend and repeal all laws or parts of law inconsistent with or in conflict with this act.

Local Legislation No. 2.

By Messrs. Turnham and Cook:

H. 677. To provide further for reporting collections made by clerks of the circuit and inferior courts.

Judiciary.

By Messrs. Turnham and Cook:

H. 678. Relating to costs and fees; to amend Code of Alabama 1940, Title 11, Section 22, in relation to commissions of clerks and registers for collection of money for the state or any county or municipality.

Judiciary.

By Messrs. Turnham and Cook:

H. 679. Relating to costs and fees; providing for the payment of fees of circuit clerks in cases docketed on the grand jury docket; repealing conflicting laws.

Judiciary.

By Messrs. Turnham and Cook:

H. 680. To require the circuit courts of this state to render a separate judgment for public officials, the State of Alabama, and any political subdivisions thereof entitled to court cost and trial or library taxes at the time any judgment is rendered by the circuit courts of this state in civil or equity cases and to provide that the return of a fieri facias by the sheriff of "No Property Found" shall be sufficient to support the issuance of a garnishment.

Judiciary.

By Messrs. Turnham and Cook:

H. 681. Relating to costs and fees; to amend further Code of Alabama 1940, Title 11, Section 81, which relates to fees in misdemeanor cases where the defendant pleads guilty.

Judiciary.

By Messrs. Turnham and Cook:

H. 682. Providing further for the payment of court costs in appeals from the rulings of boards of equalization fixing the value of property for taxation.

Judiciary.

By Messrs. Baker (Madison), Reynolds and Pennington:

H. 683. To amend further Code of Alabama 1940, Title 51, Sections 3 and 6, in relation to exemptions from ad valorem taxation of the property of companies engaged primarily in research.

Ways and Means.

By Mr. Fite:

H. 684. Proposing a constitutional amendment relating to Marion County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. McDermott and Smith:

H. 685. Relating to copyrighted musical and dramatico-musical compositions and rights therein; regulating the sale, license to use, or other disposition of such rights; declaring certain combinations of persons, firms or corporations which determine the amount of money to be paid to it or its members for performing rights in such copyrighted compositions to be unlawful monopolies and in restraint of trade; and declaring certain agreements heretofore made with such combinations unlawful, void and unenforceable; prescribing certain prerequisites to selling, licensing the use of, or disposing of performing rights in such compositions; defining the rights, duties, and liabilities of parties to contracts of sale, license to use, or other dispositions of such rights, or parties performing such compositions, and of the copyright owners and their heirs, successors and assigns; levying a tax on the gross receipts derived from the sale, license to use, or other disposition of performing rights in such compositions; providing for the collection thereof and the use of the proceeds; prescribing certain fees and penalties; providing for and regulating procedures for the enforcement of this act and the rights hereby defined.

Ways and Means.

By Messrs. Engel, McDermott, Hogan, Goldthwaite, Pierce and Campbell (Tuscaloosa):

H. 686. To provide for and require reidentification of the registered electors of all counties in Alabama which have not conducted a reidentification of voters since January 1, 1963; imposing duties upon boards of registrars and other county officers, and upon the electors whose names appear on the lists of qualified voters.

Constitution and Elections.

By Messrs. McDermott and Engel:

H. 687. To amend Title 8, Section 147, Code of Alabama 1940, which relates to seafood licenses.

Conservation.

By Messrs. McDermott and Engel:

H. 688. To amend Title 8, Section 155, as last amended, Code of Alabama 1940, which relates to the licenses for shrimp catchers' boats.

Conservation.

By Messrs. McDermott and Engel:

H. 689. To amend Section 1 of Act No. 796, page 1089 of the Acts of Alabama, 1953 Regular Session, entitled "An Act To provide for licenses for oyster catchers to take or catch oysters and to set out the amount to be paid for such licenses."

Conservation.

By Messrs. McDermott and Engel:

H. 690. To amend Title 8, Section 138, Code of Alabama 1940, so as to impose the present license for shippers of raw oysters on persons, firms, and corporations who can or shuck raw oysters.

Conservation.

By Messrs. McDermott and Engel:

H. 691. To amend Title 8, Section 164, 1940 Code of Alabama, which relates to a tax on shrimp that are not to be exported.

Conservation.

By Messrs. McDermott and Engel:

H. 692. To amend Title 8, Section 135, as last amended, Code of Alabama 1940, which relates to the licensing of vessels used to catch or transport oysters.

Conservation.

By Messrs. Perry and Rogers:

H. 693. To secure on behalf of the State the attendance of witnesses from without or within the State of Alabama by a judge of a court of record in this State or in any other State with similar laws in pending criminal prosecutions or grand jury investigations; to provide for the authority, manner and method of securing said attendance, by certificate of a judge of a court of record that the witness is a material witness in said prosecution, number of days his presence will be required and to provide for a hearing on said certificate; to provide at said hearing for the judge to determine whether such witness is material and necessary and that it will not cause undue hardship to the witness; to provide for immunity from arrest and the service of civil or criminal process; to provide for a witness to be taken into custody and delivered to an officer of the requesting state; to provide for the tender or payment of expenses to said witness and to provide penalties and punishment for the failure of a witness summoned from without this State or a witness summoned from within this State to obey the orders of the court or for any other violation of any provision of this act.

Judiciary.

By Messrs. Perry and Rogers:

H. 694. To provide for the payment of witnesses summoned from another state under the "Uniform Act To Secure The Attendance Of Witnesses From Without A State In Criminal Proceedings" and for the taxing of said costs by the Circuit Clerk.

Judiciary.

By Messrs. Slate and Brewer:

H. 695. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Local Legislation No. 1.

By Mr. Sullivan:

H. 696. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of salaries and expense allowances to members of the county board of education.

Local Legislation No. 1.

By Messrs. Bassett, Crawford, Stenbridge, Turner (Crenshaw), Glass, Salter, Cook, Paulk, Faulk, Jones (Covington), Wood, Thomas and Goodwyn:

H. 697. To make an appropriation to the use of the agricultural center board for construction and equipment of an agricultural center facility in Pike County.

Ways and Means.

By Mr. Holladay (With Notice and Proof):

H. 698. To alter, rearrange and extend the boundaries and corporate limits of the town of Springville, St. Clair County, Alabama, so as to annex certain territory to the town.

Local Legislation No. 1.

Notice and Proof H. 698:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries and corporate limits of the town of Springville, St. Clair County, Alabama, so as to annex certain territory to the town.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the town of Springville, St. Clair County, Alabama, are hereby altered, rearranged and extended so as to include within the corporate limits of the town the following described territory in addition to the area now embraced within such boundaries and corporate limits to-wit:

All that portion of the southeast quarter (SE $\frac{1}{4}$) of the southwest quarter (SW $\frac{1}{4}$) of Section 31, Township 14, Range 2, East, which lies north and west of the right of way of the Alabama Great Southern Railroad, St. Clair County, Alabama.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared R. C. Gravette, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Foreman of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 5-30, 6-6, 6-13, and 6-20, all in the year 1963.

R. C. GRAVETTE.

Sworn to and subscribed before me June 26th, 1963.

ETHEL BLAIR,
Title Notary Public.

By Messrs. Callahan, Turnham, Pierce, Campbell (Tuscaloosa), Goodwyn, Goldthwaite, Etheredge, Slate and Drake:

H. 699. To provide for and authorize the introduction in evidence in any court in Alabama, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicine, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the filing of said copy with the Clerk or Register of the Court having jurisdiction of the suit or proceedings, and to provide for subpoena duces tecum therefor.

Judiciary.

By Messrs. Nettles, McCorquodale, Pierce, Salter and Thomas:

H. 700. To provide for actual expenses of travel to be paid the Chief Examiner and the Assistant Chief Examiner of the State Department of Examiners of Public Accounts.

Ways and Means.

By Mr. Hester:

H. 701. To authorize the Commissioner of Agriculture and Industries to enter into contract by bond or insurance policy for the protection

of employees of the Department of Agriculture and Industries against certain hazards where such employees are engaged in work involving inspection and grading of agricultural products at shipping points, terminal markets and receiving centers.

Ways and Means.

By Messrs. Hester and Cantrell:

H. 702. To amend Section 2 of Act No. 139, H. 90, First Special Session 1956, an act relating to the office of circuit solicitor of the thirty-first judicial circuit of Alabama.

Local Legislation No. 1.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Fite, Jones (Monroe), Pierce, McCorquodale, Daniel, Wood, Nettles and Perry:

H. J. R. 78. WHEREAS, it is the innate right of every individual to have a freedom of choice as to those persons with whom he will associate, and also a freedom of choice as to those with whom he does not desire to associate; and

WHEREAS, the free and independent citizens of the several States of the United States should, pursuant to their aforesaid innate rights, have a right to select guests, patrons, tenants and persons who visit, use, become a member of, or occupy their homes, churches, schools, lodges, property and place of public accommodation without restriction or abridgement by the Federal Government; and

WHEREAS, because of certain opinions and decisions of the United States Supreme Court and certain administrative rulings by the Executive Branch of the Federal Government, it is desirable, if not imperative, that the United States Constitution be amended in order to preserve our freedoms of choice through re-vitalization of our individual and States rights:

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of the State of Alabama, pursuant to the rights of the sovereign States of the United States of America and pursuant to Article V of the Constitution of the United States of America, hereby makes application to the Congress of the United States to call a convention for proposing an amendment to the Constitution of the United States as authorized in and by said Article V of the Constitution, said amendment being in words and figures as follows:

PROPOSED AMENDMENT

"Section 1. This amendment shall be known as 'The Freedom of Choice Amendment.'

Section 2. PLACES OF PUBLIC ACCOMMODATION. The right of the owners and operators of all kind and description, their agents, servants and employees, of all hotels, restaurants, inns, cafes, bars, ice cream parlors, soft drink stands, motels, apartment houses, trailer camps, ceme-teries, dance halls, skating rinks, bath houses, barber shops, beauty shops and other privately owned places of public accommodation or amusement, to choose their own guests, patrons and tenants, shall not be abridged.

Section 3. EMPLOYMENT. The right of every citizen to employ or not to employ other persons, of his own free discretion, shall not be abridged. Nothing in this section shall be construed to impair the right of organized labor to contract or bargain collectively.

Section 4. PRIVATE CLUBS AND ASSOCIATIONS. The right of churches, lodges, fraternities, sororities, private clubs and all other privately owned and operated institutions and associations, to choose their own guests, patrons and members, shall not be abridged.

Section 5. NEIGHBORHOODS. The rights of owners of land to contract with other owners of land, either individually, or through associations, for the use and occupancy of privately owned lands in the same neighborhood, shall not be abridged; provided that no owner of land shall be compelled to join in any such contract or become a member of any neighborhood association, and, provided, further, that the right and freedom of such contracting owners to give written consent by a majority vote shall not be restricted or abridged by law or contract so as to prevent the giving of such consent to any person solely because of said person's race, color, creed or nationality. The term 'neighborhood' shall mean whatever area the contracting parties may designate.

Section 6. SCHOOLS. Control of educational policies, administration, and all matters pertaining thereto shall be exercised exclusively by the several states to the extent granted by the people thereof.

Section 7. INTRA-STATE AGENCIES. Rules and regulations pertaining to intra-state transportation, and all other intra-state public agencies, shall be exercised exclusively by the states."

On motion of Mr. Fite the rules were suspended and H.J.R. 78 was adopted.

Also:

By Messrs. Wood, Downing, Edwards (Lowndes), Mashburn and Edwards (Escambia):

H. J. R. 79. Providing for a temporary commission for the study of Alabama's water resources, factors affecting water quality, and quantitative use of same, said Commission to be known as the Water Resources Study Commission.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. There may be created a temporary commission to be known as the Water Resources Study Commission, which Commission shall consist of eighteen members as follows: The Commissioner of Agriculture and Industry, who shall serve as Temporary Chairman; the Director of the State Planning and Industrial Development Board; the State Health Officer; the State Geologist; the Director of the State Docks; the Dean of the School of Agriculture of Auburn University; the Director of the State Department of Conservation; one member representing municipal government; one member representing county government; one member representing wildlife; five members representing respectively the following five industries: Forest Products and Pulp and Paper, Metals, Petroleum and Mining, Chemicals, Textiles, Electric Power; three members representing agriculture in the following three categories: livestock, general farming, and soil conservation. The seven ex-officio members shall hold office by virtue of their offices. The remaining 11 members of the Commission shall be appointed by the Governor as herein prescribed. The member representing municipal government shall be appointed by the Governor from three nominees submitted by the

Alabama League of Municipalities; the member representing county government shall be appointed by the Governor from three nominees submitted by the Association of County Commissioners of Alabama; the member representing wildlife shall be appointed by the Governor from three nominees submitted by the Alabama Wildlife Federation; the member representing Forest Products and Pulp and Paper industries shall be appointed by the Governor from three nominees submitted by the Alabama Forest Products Association; the member representing the Metals, Petroleum, and Mining industry shall be appointed by the Governor from three nominees submitted by the Alabama Mining Institute; the member representing the Chemical industry shall be appointed by the Governor from three nominees submitted by the Alabama State Chamber of Commerce; the member representing the Textile industry shall be appointed by the Governor from three nominees submitted by the Alabama Textile Manufacturers Association; the member representing the Electric Power industry shall be appointed by the Governor from three nominees submitted by the Associated Industries of Alabama; and the Governor shall appoint one member representing each of the following categories in agriculture: livestock, from three nominees submitted by the Alabama Farm Bureau Federation, and general farming, from three nominees submitted by the Alabama Farm Bureau Federation; the member representing soil conservation shall be appointed by the Governor from three nominees submitted by the Alabama Association of Soil Conservation District Supervisors. Any vacancies which may occur on said Commission due to death or resignation shall be filled in the manner as above prescribed for making the original appointments. All other appointments shall hold office until the dissolution of this Commission as hereinafter prescribed.

2. The Commission shall at its first meeting, which shall be held upon the call of its Temporary Chairman, elect a permanent Chairman and Vice Chairman. Vacancies in the positions of Chairman and Vice Chairman shall be filled by a majority vote of the Commission. The Commission shall establish such committees and procedures as the Commission deems necessary and expedient to its water study. The Commission shall further prescribe the dates for regular meetings of the Commission, which regular meetings shall be held not less than once each three months. The Permanent Chairman shall appoint the members of such committees as are deemed necessary. He shall have the authority to call special meetings of committees or the entire Commission as he deems necessary.

3. The members of the Commission shall receive no salary or compensation as members of such Commission.

4. The Commission shall study the State's existing water situation and appraise the probable future situation as to water quality and quantitative use and control and shall compile a report of its findings and recommendations to be submitted to the Legislature, which report shall include a recommended basic water policy which will best meet Alabama's future water needs. The Commission shall in the course of its work make use of such technical, legal, or other specialized personnel as may be available in the several interested State Departments, educational institutions and Federal agencies. The Commission shall also be authorized to receive, accept and expend any funds that may be available and allocated to it by the Federal government for the purpose of carrying out the work of the Commission. Agreements may also be entered into by the Commission with state agencies, other states of the United States and agencies, departments or instrumentalities of the Federal government in the event it is determined by the Commission that joint action with another state or the Federal government will enable it to more effectively perform its duties as authorized under the provisions of this resolution.

5. The study commission shall be authorized to make interim reports to any state agency affected by the work of this Commission or to the Gov-

ernor of Alabama at any time deemed expedient by a majority of the Commission.

On motion of Mr. Wood the rules were suspended and H.J.R. 79 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 484. To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Also:

H. 476. To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation and provide for the payment thereof out of county funds.

Also:

H. 477. To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Also:

H. 479. To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

S. 241. To further amend Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of the judge of probate of Madison County, providing for an increased appropriation of county funds for the operation of such office and authorizing an additional contingent appropriation therefor.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be in-

roduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To further amend Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of the judge of probate of Madison County, providing for an increased appropriation of county funds for the operation of such office and authorizing an additional contingent appropriation thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of judge of probate of Madison County, as amended, is further amended to read:

"Section 2. The judge of probate shall appoint his own clerks and assistants and fix their compensation, which shall be paid by the county. The court of county commissioners, board of revenue, or other like county governing body shall appropriate the sum of \$40,000 per annum for such purpose, and may in its discretion appropriate an additional sum of not more than \$20,000 per annum for like purposes."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF MADISON**

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 28, June 4, June 11, and June 18, all in the year 1963.

**W. C. LEWIS,
Secretary-Treasurer.**

Sworn to and subscribed before me June 19, 1963.

**OPAL H. DILWORTH,
Title Notary Public.**

Also:

By Mr. McCain:

S. 242. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 241. Local Legislation No. 1.

S. 242. Ways and Means.

H. 478 POSTPONED

On motion of Mr. Meade, consideration of the bill, H. 478, was postponed until the twentieth legislative day.

BILLS ON THIRD READING

H. 536. Relating to counties having populations of not less than 17,400 nor more than 17,800; fixing the compensation of election officers in such counties.

Was again taken up.

Mr. Salter offered the following substitute for the bill, H. 536:

SUBSTITUTE FOR H. B. 536:

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 17,400 nor more than 17,800; fixing the compensation of election officers in such counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. At all elections hereafter held in counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, the inspectors and clerks shall each be entitled to six dollars and fifty cents, and the returning officer to six dollars and fifty cents plus ten cents a mile in going to the courthouse and returning to the place of holding the election; the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Cates	Gilmore	Nabors
Albea	Collins	Glass	NeSmith
Avery	Cook	Grouby	Nettles
Bailes	Cooper	Hain	Paulk
Baker (DeKalb)	Cornett	Hannah	Perry
Baker (Madison)	Crawford	Hawkins	Pierce
Barnett	Daniel	Heflin	Posey
Bassett	Davis	Hester	Powell
Bethea (B)	Doggett	Ingram	Pruitt
Bethea (M)	Dominick	Jones (Covington)	Rast
Bevill	Drake	Jones (Monroe)	Reynolds
Bowers	Edington	Locke	Scurlock
Branyon	Edwards (Escambia)	Martin	Smith
Brown (Jefferson)	Edwards (Lowndes)	Meade	Stembridge
Burnham	Engel	Meeks	Teel
Camp	Etheredge	Merrill	Turner (Limestone)
Campbell (Tuscaloosa)	Faulk	Moore	Turnham
Carr	Fite	Morrow	Wood
Casey			

—73

And said bill, H. 536, as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Camp	Edington	Hester
Albea	Campbell (Tuscaloosa)	Edwards (Escambia)	Hogan
Avery	Carr	Engel	Holladay
Bailes	Casey	Etheredge	Ingram
Baker (Madison)	Cates	Faulk	Jones (Covington)
Barnett	Collins	Fields	Jones (Monroe)
Bassett	Cooper	Fite	Locke
Bethea (B)	Cornett	Gilmore	McCorquodale
Bethea (M)	Crawford	Glass	Martin
Bevill	Daniel	Grouby	Meade
Bowers	Davis	Hain	Meeks
Branyon	Doggett	Hannah	Merrill
Brown (Jefferson)	Dominick	Hawkins	Moore
Burnham	Drake	Heflin	Morrow

Nabors	Pierce	Reynolds	Turner (Crenshaw)
NeSmith	Posey	Salter	Turner (Limestone)
Nettles	Powell	Scurlock	Turnham
Paulk	Pruitt	Smith	Wood
Perry	Rast	Teel	

—76

And the bill:

H. 547. To provide for the compensation of jurors in Choctaw County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Collins	Hain	Paulk
Albea	Cooper	Hannah	Perry
Avery	Cornett	Hawkins	Pierce
Bailes	Crawford	Heflin	Posey
Baker (Madison)	Daniel	Hester	Powell
Barnett	Davis	Hogan	Pruitt
Bassett	Doggett	Ingram	Rast
Bethea (B)	Drake	Jones (Covington)	Reynolds
Bethea (M)	Edington	Jones (Monroe)	Salter
Bevill	Edwards (Lowndes)	Locke	Scurlock
Blanton	Engel	McCorquodale	Sessions
Bowers	Etheredge	Martin	Slate
Branyon	Faulk	Meade	Smith
Brown (Jefferson)	Fields	Meeks	Stembridge
Burnham	Fite	Merrill	Teel
Camp	Gilmore	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Nabors	Turner (Limestone)
Carr	Goodwyn	NeSmith	Turnham
Casey	Grouby	Nettles	Vacca
Cates			

—78

And the bill:

H. 548. To regulate further the compensation and allowances of election officers in Choctaw County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cooper	Edwards (Lowndes)
Albea	Bowers	Cornett	Engel
Avery	Brown (Jefferson)	Crawford	Etheredge
Bailes	Burnham	Daniel	Faulk
Baker (Madison)	Camp	Davis	Fields
Barnett	Campbell (Tuscaloosa)	Doggett	Fite
Bassett	Carr	Dominick	Gilmore
Bethea (B)	Casey	Downing	Glass
Bethea (M)	Cates	Drake	Goodwyn
Bevill	Collins	Edington	Grouby
Blanton	Cook	Edwards (Escambia)	Hain

Hannah	Martin	Perry	Sessions
Hawkins	Mashburn	Pierce	Slate
Heflin	Meade	Posey	Smith
Hester	Meeks	Powell	Stembridge
Hogan	Merrill	Pruitt	Teel
Ingram	Moore	Rast	Turner (Crenshaw)
Jones (Covington)	Nabors	Reynolds	Turner (Limestone)
Jones (Monroe)	NeSmith	Rogers	Turnham
Locke	Nettles	Salter	Vacca
McCorquodale	Paulk	Scurlock	Wood

—84

And the bill:

H. 550. To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwyn	Paulk
Albea	Cook	Hain	Perry
Avery	Cooper	Hannah	Pierce
Bailes	Cornett	Hawkins	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Ingram	Rogers
Bethea (M)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	Martin	Slate
Bowers	Edwards (Lowndes)	Mashburn	Smith
Brown (Jefferson)	Engel	Meade	Stembridge
Burnham	Etheredge	Meeks	Teel
Camp	Faulk	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Fields	Moore	Turner (Limestone)
Carr	Fite	Nabors	Turnham
Casey	Gilmore	NeSmith	Vacca
Cates	Glass	Nettles	Wood

—80

And the bill:

H. 551. To regulate further teacher tenure and status in the public schools of Crenshaw County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the county, and repealing as to Crenshaw County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Albea	Avery	Baker (DeKalb)
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Baker (Madison)	Crawford	Holladay	Pruitt
Barnett	Davis	Ingram	Rast
Bassett	Doggett	Jones (Covington)	Reynolds
Bethea (B)	Downing	Jones (Monroe)	Rogers
Bethea (M)	Drake	Martin	Salter
Bevill	Edwards (Escambia)	Meade	Scurlock
Blanton	Edwards (Lowndes)	Meeks	Sessions
Bolton	Engel	Merrill	Slate
Bowers	Etheredge	Moore	Smith
Brown (Jefferson)	Faulk	Nabors	Stembridge
Burnham	Fite	NeSmith	Teel
Camp	Gilmore	Nettles	Turner (Crenshaw)
Carr	Goodwyn	Paulk	Turner (Limestone)
Casey	Hain	Perry	Vacca
Cates	Hester	Pierce	Wood
Cornett	Hogan	Powell	

—67

H. 552 POSTPONED

On motion of Mr. Turner (Crenshaw), consideration of the bill, H. 552, was postponed until the twenty-first legislative day.

And the bill:

H. 553. Relating to Crenshaw County; amending further Act No. 502, H. 916, Regular Session 1947, (Local Acts 1947, p. 340) an act providing for the compensation of members of the court of county commissioners.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Albea	Cooper	Hawkins	Pierce
Avery	Cornett	Hester	Posey
Bailes	Crawford	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Pruitt
Baker (Madison)	Davis	Ingram	Rast
Barnett	Doggett	Jones (Covington)	Reynolds
Bassett	Downing	Jones (Monroe)	Rogers
Bethea (B)	Drake	Locke	Salter
Bethea (M)	Edgington	McCorquodale	Scurlock
Bevill	Edwards (Escambia)	McDermott	Sessions
Blanton	Edwards (Lowndes)	Martin	Slate
Bolton	Engel	Mashburn	Smith
Bowers	Etheredge	Meade	Stembridge
Branyon	Faulk	Meeks	Teel
Brown (Jefferson)	Fields	Merrill	Turner (Crenshaw)
Burnham	Fite	Moore	Turner (Limestone)
Camp	Gilmore	Nabors	Turnham
Carr	Glass	NeSmith	Vacca
Casey	Goodwyn	Nettles	Wood
Cates	Hain	Paulk	

—83

And the bill:

H. 555. Relating to counties having populations of not less than

15,500 nor more than 16,300; vesting in the probate courts of such counties the civil jurisdiction of justice of the peace courts.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Nettles
Albea	Cornett	Harper	Paulk
Bailes	Crawford	Hawkins	Perry
Baker (Madison)	Daniel	Heflin	Pierce
Barnett	Davis	Hester	Posey
Bassett	Doggett	Hogan	Powell
Bethea (B)	Downing	Ingram	Pruitt
Bethea (M)	Drake	Jones (Covington)	Rast
Bevill	Edington	Jones (Monroe)	Reynolds
Blanton	Edwards (Escambia)	Locke	Rogers
Bolton	Edwards (Lowndes)	McCorquodale	Salter
Bowers	Engel	McDermott	Scurlock
Branyon	Etheredge	Martin	Sessions
Brown (Jefferson)	Faulk	Mashburn	Slate
Burnham	Fields	Meade	Smith
Camp	Fite	Meeks	Stembridge
Campbell (Tuscaloosa)	Gilmore	Merrill	Teel
Carr	Glass	Moore	Turner (Crenshaw)
Casey	Goodwyn	Morrow	Turner (Limestone)
Cates	Grouby	Nabors	Turnham
Collins	Hain	NeSmith	Wood
Cook			

—85

And the bill:

H. 558. To provide for the compensation of county or deputy solicitors in counties having populations of not less than 15,000 nor more than 15,300.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Camp	Edwards (Escambia)	Hogan
Albea	Cantrell	Edwards (Lowndes)	Holladay
Avery	Carr	Engel	Ingram
Bailes	Casey	Etheredge	Jones (Covington)
Baker (Madison)	Cates	Faulk	Jones (Monroe)
Barnett	Collins	Fields	Locke
Bassett	Cook	Fite	McCorquodale
Bethea (B)	Cooper	Gilmore	McDermott
Bethea (M)	Cornett	Glass	Martin
Bevill	Crawford	Goodwyn	Mashburn
Blanton	Daniel	Hain	Meade
Bolton	Davis	Hannah	Meeks
Bowers	Doggett	Harper	Merrill
Branyon	Downing	Hawkins	Moore
Brown (Jefferson)	Drake	Heflin	Morrow
Burnham	Edington	Hester	Nabors

NeSmith	Pruitt	Sessions	Turner (Crenshaw)
Nettles	Rast	Slate	Turner (Limestone)
Paulk	Reynolds	Smith	Turnham
Perry	Rogers	Stembridge	Vacca
Pierce	Salter	Teel	Wood
Posey	Scurlock		

—86

And the bill:

H. 566. Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Carr	Glass	Nettles
Albea	Casey	Goodwyn	Paulk
Avery	Cates	Hain	Pierce
Bailes	Collins	Hannah	Posey
Baker (DeKalb)	Cook	Harper	Pruitt
Baker (Madison)	Cornett	Hawkins	Rast
Barnett	Crawford	Heflin	Reynolds
Bassett	Daniel	Hester	Rogers
Bethea (B)	Davis	Hogan	Salter
Bethea (M)	Doggett	Jones (Covington)	Scurlock
Bevill	Downing	Jones (Monroe)	Sessions
Blanton	Drake	McCorquodale	Slate
Bolton	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Martin	Stembridge
Branyon	Edwards (Lowndes)	Mashburn	Teel
Brown (Jefferson)	Engel	Meade	Turner (Crenshaw)
Burnham	Etheredge	Merrill	Turner (Limestone)
Camp	Faulk	Moore	Turnham
Campbell (Jackson)	Fields	Morrow	Vacca
Campbell (Tuscaloosa)	Fite	Nabors	Wood
Cantrell	Gilmore	NeSmith	

—83

H. 567 INDEFINITELY POSTPONED

On motion of Mr. Fite, the bill, H. 567, was indefinitely postponed.

And the bill:

H. 594. Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Albea	Avery	Bailes
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Baker (DeKalb)	Cornett	Harper	Perry
Baker (Madison)	Crawford	Hawkins	Pierce
Barnett	Daniel	Heflin	Posey
Bassett	Davis	Hester	Powell
Bethea (B)	Doggett	Hogan	Pruitt
Bethea (M)	Dominick	Holladay	Rast
Bevill	Downing	Ingram	Reynolds
Blanton	Drake	Jones (Covington)	Rogers
Bolton	Edington	Jones (Monroe)	Salter
Bowers	Edwards (Escambia)	Locke	Scurlock
Branyon	Edwards (Lowndes)	Martin	Sessions
Brown (Jefferson)	Engel	Mashburn	Slate
Burnham	Etheredge	Meade	Smith
Camp	Faulk	Meeks	Stembridge
Cantrell	Fields	Merrill	Teel
Carr	Gilmore	Moore	Turner (Crenshaw)
Casey	Glass	Nabors	Turner (Limestone)
Cates	Goodwyn	NeSmith	Turnham
Collins	Grouby	Nettles	Vacca
Cook	Hain	Paulk	Wood
Cooper	Hannah		

—86

And the bill:

H. 595. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of expense allowances to members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Collins	Hain	Nettles
Albea	Cook	Hannah	Paulk
Bailes	Cornett	Harper	Perry
Baker (DeKalb)	Crawford	Hawkins	Pierce
Baker (Madison)	Daniel	Heflin	Posey
Barnett	Davis	Hester	Powell
Bassett	Doggett	Hogan	Pruitt
Bethea (B)	Dominick	Holladay	Rast
Bethea (M)	Downing	Ingram	Reynolds
Bevill	Drake	Jones (Covington)	Rogers
Blanton	Edington	Jones (Monroe)	Salter
Bolton	Edwards (Escambia)	Locke	Scurlock
Bowers	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Slate
Brown (Jefferson)	Etheredge	Mashburn	Smith
Burnham	Faulk	Meade	Stembridge
Camp	Fields	Meeks	Teel
Campbell (Jackson)	Gilmore	Merrill	Turner (Crenshaw)
Cantrell	Glass	Moore	Turner (Limestone)
Carr	Goldthwaite	Morrow	Turnham
Casey	Goodwyn	Nabors	Vacca
Cates	Grouby	NeSmith	Wood

—88

And the bill:

H. 596. To authorize and direct the county board of education in all counties having populations of not less than 21,850 nor more than 21,950, according to the most recent federal decennial census, to fix the salary and expense allowance of the county superintendent of education at amounts not less than the salaries and expenses paid to certain other employees of the board.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Nettles
Albea	Collins	Hain	Paulk
Avery	Cooper	Hannah	Perry
Bailes	Cornett	Harper	Pierce
Baker (DeKalb)	Crawford	Hawkins	Posey
Baker (Madison)	Daniel	Hester	Powell
Barnett	Davis	Hogan	Pruitt
Bassett	Doggett	Holladay	Rast
Bethea (B)	Dominick	Ingram	Reynolds
Bethea (M)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	McCorquodale	Scurlock
Bowers	Edwards (Escambia)	McDermott	Sessions
Bolton	Edwards (Lowndes)	Martin	Slate
Branyon	Engel	Mashburn	Smith
Brown (Jefferson)	Etheredge	Meade	Stembridge
Burnham	Faulk	Meeks	Teel
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Moore	Turner (Limestone)
Cantrell	Glass	Morrow	Turnham
Carr	Goldthwaite	Nabors	Vacca
Casey	Goodwyn	NeSmith	Wood

—88

And the bill:

H. 600. To repeal Act No. 47, H. 70, Second Special Session 1963, relating to counties having populations of not less than 15,300 nor more than 15,400.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collins	Edwards (Lowndes)
Albea	Bolton	Cooper	Engel
Avery	Bowers	Cornett	Etheredge
Bailes	Branyon	Crawford	Faulk
Baker (DeKalb)	Brown (Jefferson)	Daniel	Fields
Baker (Madison)	Burnham	Davis	Gilmore
Barnett	Camp	Doggett	Glass
Bassett	Cantrell	Downing	Goodwyn
Bethea (B)	Carr	Drake	Grouby
Bethea (M)	Casey	Edington	Hain
Bevill	Cates	Edwards (Escambia)	Hannah

Harper	McDermott	Perry	Sessions
Hawkins	Martin	Pierce	Slate
Heflin	Mashburn	Posey	Smith
Hester	Meade	Powell	Stembridge
Hogan	Meeks	Pruitt	Teel
Holladay	Merrill	Rast	Turner (Crenshaw)
Ingram	Moore	Reynolds	Turner (Limestone)
Jones (Covington)	Nabors	Rogers	Turnham
Jones (Monroe)	NeSmith	Salter	Vacca
Locke	Nettles	Scurlock	Wood
McCorquodale	Paulk		

—86

And the bill:

H. 601. To provide an expense allowance for members of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 15,300 nor more than 15,400, according to the last or any subsequent federal decennial census; giving the Act limited retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cooper	Harper	Perry
Avery	Cornett	Hawkins	Pierce
Bailes	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Barnett	Doggett	Ingram	Rast
Bassett	Downing	Jones (Covington)	Reynolds
Bethea (B)	Drake	Jones (Monroe)	Rogers
Bethea (M)	Edington	Locke	Salter
Bevill	Edwards (Escambia)	McCorquodale	Scurlock
Blanton	Edwards (Lowndes)	McDermott	Sessions
Bolton	Engel	Martin	Slate
Bowers	Etheredge	Mashburn	Smith
Branyon	Faulk	Meade	Stembridge
Brown (Jefferson)	Fite	Meeks	Teel
Burnham	Gilmore	Merrill	Turner (Crenshaw)
Camp	Glass	Moore	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Nabors	Turnham
Cantrell	Goodwyn	NeSmith	Vacca
Casey	Grouby	Nettles	Wood
Cates	Hain		

—86

And the bill:

H. 603. Relating to cities having populations of not less than 50,000 nor more than 60,000 according to the most recent federal decennial census providing an expense allowance for the mayor and city commissioners of such cities.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Nettles
Albea	Collins	Harper	Paulk
Avery	Cooper	Hawkins	Perry
Bailes	Cornett	Heflin	Pierce
Baker (DeKalb)	Daniel	Hester	Posey
Baker (Madison)	Davis	Hogan	Powell
Barnett	Doggett	Holladay	Pruitt
Bassett	Dominick	Ingram	Rast
Bethea (B)	Downing	Jones (Covington)	Reynolds
Bethea (M)	Drake	Jones (Monroe)	Rogers
Bevill	Edington	Locke	Salter
Blanton	Edwards (Escambia)	McCorquodale	Scurlock
Bolton	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Branyon	Etheredge	Mashburn	Smith
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Teel
Camp	Gilmore	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Glass	Moore	Turner (Limestone)
Cantrell	Goldthwaite	Morrow	Turnham
Carr	Goodwyn	Nabors	Vacca
Casey	Hain	NeSmith	Wood

—88

And the bill:

H. 604. To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Nettles
Albea	Collins	Harper	Paulk
Avery	Cooper	Hawkins	Perry
Bailes	Cornett	Heflin	Pierce
Baker (DeKalb)	Crawford	Hester	Posey
Baker (Madison)	Daniel	Hogan	Powell
Barnett	Davis	Holladay	Pruitt
Bassett	Doggett	Ingram	Rast
Bethea (B)	Dominick	Jones (Covington)	Reynolds
Bethea (M)	Downing	Jones (Monroe)	Rogers
Bevill	Drake	Locke	Salter
Blanton	Edington	McCorquodale	Scurlock
Bolton	Edwards (Escambia)	McDermott	Sessions
Bowers	Edwards (Lowndes)	Martin	Slate
Branyon	Engel	Mashburn	Smith
Brown (Jefferson)	Etheredge	Meade	Stembridge
Burnham	Faulk	Meeks	Teel
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Morrow	Turnham
Cantrell	Goodwyn	Nabors	Vacca
Carr	Hain	NeSmith	Wood
Casey			

—89

And the bill:

S. 89. To regulate the compensation and allowances of members of the board of education of Marshall County and provide for the payment thereof.

Was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Hawkins	Paulk
Albea	Crawford	Heflin	Perry
Avery	Daniel	Hester	Pierce
Bailes	Davis	Hogan	Posey
Baker (DeKalb)	Doggett	Holladay	Powell
Baker (Madison)	Dominick	Ingram	Pruitt
Barnett	Downing	Jones (Covington)	Rast
Bassett	Drake	Jones (Monroe)	Reynolds
Bethea (B)	Edington	Locke	Rogers
Bethea (M)	Edwards (Escambia)	McCorquodale	Salter
Bevill	Edwards (Lowndes)	McDermott	Scurlock
Blanton	Engel	Martin	Sessions
Bolton	Etheredge	Mashburn	Slate
Bowers	Faulk	Meade	Smith
Branyon	Fields	Meeks	Stembridge
Brown (Jefferson)	Gilmore	Merrill	Teel
Camp	Glass	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	Morrow	Turner (Limestone)
Cantrell	Grouby	Nabors	Turnham
Carr	Hain	NeSmith	Vacca
Casey	Hannah	Nettles	Wood
Cates	Harper		

—86

And the bill:

S. 110. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

Was read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Burnham	Drake	Hawkins
Albea	Campbell (Tuscaloosa)	Edington	Heflin
Avery	Cantrell	Edwards (Escambia)	Hester
Bailes	Carr	Edwards (Lowndes)	Hogan
Baker (Madison)	Casey	Engel	Holladay
Barnett	Cates	Etheredge	Ingram
Bassett	Collins	Faulk	Jones (Covington)
Bethea (B)	Cooper	Fields	Jones (Monroe)
Bethea (M)	Cornett	Gilmore	McCorquodale
Bevill	Crawford	Glass	McDermott
Blanton	Daniel	Goodwyn	Martin
Bolton	Davis	Grouby	Mashburn
Bowers	Doggett	Hain	Meade
Branyon	Dominick	Hannah	Meeks
Brown (Jefferson)	Downing	Harper	Merrill

Morrow	Posey	Salter	Teel
Nabors	Powell	Scurlock	Turner (Crenshaw)
NeSmith	Pruitt	Sessions	Turner (Limestone)
Nettles	Rast	Slate	Turnham
Paulk	Reynolds	Smith	Vacca
Perry	Rogers	Stembridge	Wood
Pierce			

—85

And the bill:

S. 119. To amend Section 2 of Act No. 114, H. 159, Special Session 1962, providing for compensation and expense allowances for members of the county board of education of counties of not less than 46,600 nor more than 49,050 population, so as to fix the mileage allowance for authorized travel of members at eight cents per mile.

Was read a third time at length and passed.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Grouby	Nettles
Albea	Cates	Hain	Paulk
Avery	Collins	Hannah	Perry
Bailes	Cooper	Harper	Pierce
Baker (DeKalb)	Crawford	Heflin	Posey
Baker (Madison)	Daniel	Hester	Powell
Barnett	Davis	Hogan	Pruitt
Bassett	Doggett	Holladay	Rast
Bethea (B)	Dominick	Ingram	Reynolds
Bethea (M)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	Locke	Scurlock
Bolton	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Stembridge
Brown (Jefferson)	Etheredge	Mashburn	Teel
Burnham	Faulk	Meade	Turner (Crenshaw)
Burns	Fields	Merrill	Turner (Limestone)
Camp	Gilmore	Moore	Turnham
Campbell (Jackson)	Glass	Morrow	Vacca
Cantrell	Goldthwaite	Nabors	Wood
Carr	Goodwyn	NeSmith	

—87

And the bill:

H. 559. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Bailes	Baker (Madison)	Bassett
Albea	Baker (DeKalb)	Barnett	Bethea (B)

Bethea (M)	Dominick	Hester	Perry
Bevill	Downing	Hogan	Pierce
Blanton	Drake	Holladay	Posey
Bolton	Edington	Ingram	Powell
Bowers	Edwards (Escambia)	Jones (Covington)	Pruitt
Branyon	Edwards (Lowndes)	Jones (Monroe)	Rast
Brown (Jefferson)	Engel	Locke	Reynolds
Burnham	Etheredge	McCorquodale	Rogers
Burns	Faulk	McDermott	Salter
Camp	Fields	Martin	Scurlock
Campbell (Jackson)	Gilmore	Mashburn	Sessions
Cantrell	Glass	Meade	Slate
Carr	Goldthwaite	Meeks	Smith
Casey	Goodwyn	Merrill	Stembridge
Cates	Grouby	Moore	Teel
Collins	Hain	Morrow	Turner (Crenshaw)
Cooper	Hannah	Nabors	Turner (Limestone)
Crawford	Harper	NeSmith	Turnham
Daniel	Hawkins	Nettles	Vacca
Davis	Heflin	Paulk	Wood
Doggett			

—89

And the bill:

H. 560. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and all certain other territory in Jefferson County, Alabama, contiguous to said city:

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Nettles
Albea	Collins	Harper	Paulk
Avery	Cooper	Hawkins	Perry
Bailes	Crawford	Heflin	Pierce
Baker (DeKalb)	Daniel	Hester	Posey
Baker (Madison)	Davis	Hogan	Powell
Barnett	Doggett	Holladay	Pruitt
Bassett	Dominick	Ingram	Rast
Bethea (B)	Downing	Jones (Covington)	Reynolds
Bethea (M)	Drake	Jones (Monroe)	Rogers
Bevill	Edington	Locke	Salter
Blanton	Edwards (Escambia)	McCorquodale	Scurlock
Bolton	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Branyon	Etheredge	Mashburn	Smith
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Teel
Burns	Gilmore	Merrill	Turner (Crenshaw)
Camp	Glass	Moore	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Morrow	Turnham
Cantrell	Goodwyn	Nabors	Vacca
Carr	Grouby	NeSmith	Wood
Casey	Hain		

—90

And the bill:

H. 578. To repeal Act No. 39, H. 67, Special Session, 1962 (Acts 1962, p. 50) entitled "An Act relating to cities having a population of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; providing for the appointment of an administrative assistant by the members of the city commission, council, or like governing body of any such city."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	NeSmith
Albea	Collins	Hain	Nettles
Avery	Cook	Hannah	Paulk
Bailes	Cooper	Harper	Pierce
Baker (DeKalb)	Crawford	Hawkins	Posey
Baker (Madison)	Daniel	Heflin	Powell
Barnett	Davis	Hester	Pruitt
Bassett	Doggett	Hogan	Rast
Bethea (B)	Dominick	Holladay	Reynolds
Bethea (M)	Downing	Ingram	Rogers
Bevill	Drake	Jones (Covington)	Salter
Blanton	Edington	Jones (Monroe)	Scurlock
Bolton	Edwards (Escambia)	Locke	Sessions
Bowers	Edwards (Lowndes)	McDermott	Slate
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Stembridge
Burnham	Faulk	Meade	Teel
Camp	Fields	Meeks	Turner (Crenshaw)
Campbell (Tuscaloosa)	Gilmore	Merrill	Turner (Limestone)
Cantrell	Glass	Moore	Turnham
Carr	Goldthwaite	Morrow	Vacca
Casey	Goodwyn	Nabors	Wood

—88

And the bill:

H. 579. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags, and by prescribing further penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Blanton	Cates	Drake
Albea	Bolton	Collins	Edington
Avery	Bowers	Cook	Edwards (Escambia)
Bailes	Branyon	Cooper	Edwards (Lowndes)
Baker (DeKalb)	Brown (Jefferson)	Cornett	Engel
Baker (Madison)	Burnham	Crawford	Etheredge
Barnett	Burns	Daniel	Faulk
Bassett	Camp	Davis	Fields
Bethea (B)	Cantrell	Doggett	Gilmore
Bethea (M)	Carr	Dominick	Glass
Bevill	Casey	Downing	Goldthwaite

Goodwyn	Jones (Monroe)	NeSmith	Scurlock
Grouby	Locke	Nettles	Sessions
Hain	McCorquodale	Paulk	Slate
Hannah	McDermott	Perry	Smith
Harper	Martin	Pierce	Stembridge
Hawkins	Mashburn	Posey	Sullivan
Heflin	Meade	Powell	Teel
Hester	Meeks	Pruitt	Turner (Crenshaw)
Hogan	Merrill	Rast	Turner (Limestone)
Holladay	Moore	Reynolds	Turnham
Ingram	Morrow	Rogers	Vacca
Jones (Covington)	Nabors	Salter	Wood

—92

And the bill:

H. 511. To authorize the Governing Body of DeKalb County Alabama to pay the sum of Two Thousand Five Hundred Dollars (\$2,500.00) to RICHARD SMITH ADKINS out of the General Fund of said County or out of such other funds as may be available for the payment of Deputy Sheriffs' salaries of DeKalb County, Alabama; as may be determined by the County Commission for medical expenses and other costs in connection with the injuries received by the said RICHARD SMITH ADKINS, while acting as Deputy Sheriff of DeKalb County, Alabama in the line of duty, in an automobile accident in DeKalb County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Albea	Collins	Hannah	Paulk
Avery	Cook	Harper	Perry
Bailes	Cooper	Heflin	Posey
Baker (DeKalb)	Cornett	Hester	Powell
Baker (Madison)	Daniel	Hogan	Pruitt
Barnett	Davis	Holladay	Rast
Bassett	Doggett	Ingram	Reynolds
Bethea (B)	Downing	Jones (Covington)	Rogers
Bethea (M)	Drake	Jones (Monroe)	Salter
Bevill	Edington	Locke	Scurlock
Blanton	Edwards (Escambia)	McCorquodale	Sessions
Bolton	Edwards (Lowndes)	McDermott	Slate
Bowers	Engel	Martin	Smith
Branyon	Etheredge	Mashburn	Stembridge
Brown (Jefferson)	Faulk	Meade	Sullivan
Burnham	Fields	Meeks	Teel
Burns	Gilmore	Merrill	Turner (Crenshaw)
Camp	Glass	Moore	Turner (Limestone)
Cantrell	Goldthwaite	Morrow	Turnham
Carr	Goodwyn	Nabors	Vacca
Casey	Grouby	NeSmith	Wood

—88

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 470. To make an additional appropriation for payment of expenses of the Legislature.

Also:

H. 484. To repeal Act No. 294, H. 707, Regular Session 1959 (Acts 1959, p. 863), an act which levies sales and use taxes in Greene County.

Also:

H. 476. To authorize and provide for clerical assistants to the tax collector of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Also:

H. 477. To authorize and provide for clerical assistants to the tax assessor of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

Also:

H. 479. To authorize and provide for clerical assistants to the circuit clerk of Cherokee County; to provide for the selection, employment and discharge of such assistants, to fix their compensation, and provide for the payment thereof out of county funds.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cornett to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 295, was adopted.

PASSAGE OF H. 295

And the bill:

H. 295. (With Amendments). To provide for conditional release of county prisoners; repealing conflicting laws.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Local Government, said committee amendments being as follows:

**LOCAL GOVERNMENT COMMITTEE
AMENDMENT NO. 1 TO H. 295**

Amendment to H. B. 295

In Section 1, on line 6, insert a comma after the word "county" and before the word "under"

Also, in Section 2, strike out the last sentence and insert the following: However, this act shall not affect the power of the state board of pardons and paroles to grant a pardon and/or restoration or civil and political rights to any such person as provided for by Code of Alabama 1940, Title 42, Section 16, as amended.

On motion of Mr. Cornett amendment No. 1 reported by the Standing Committee on Local Government was laid upon the table.

And

**LOCAL GOVERNMENT COMMITTEE
AMENDMENT NO. 2 TO H. 295**

Amend H. B. 295 as follows:

In line 3 of Section 1 delete the words "the solicitor who prosecuted the case and".

In line 7 of Section 1 delete the words "either the solicitor or" and insert in lieu thereof the word "the".

In line 8 of Section 1 delete the words "solicitor or".

On motion of Mr. Cornett amendment No. 2 reported by the Standing Committee on Local Government was laid upon the table.

Mr. Cornett offered the following substitute for the bill, H. 295:

SUBSTITUTE FOR H. B. 295

**A BILL
TO BE ENTITLED
AN ACT**

To provide for conditional release of county prisoners; repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or other like governing body of each county of this state may, with the approval of the judge who tried the case, release any person who is serving a sentence in the county jail or is performing hard labor for the county, under such conditions as the county governing body may prescribe. In the event the judge is dead or no longer serving, the incumbent judge shall have

authority to approve the action of the county governing body in lieu of the officer who is no longer serving.

Section 2. The state board of pardons and paroles shall have no powers, authority, or duties with respect to any person who is serving a sentence in the county jail, is performing hard labor for the county or has been released by the county governing body. However, this act shall not affect the power of the state board of pardons and paroles to grant a pardon and/or restoration of civil and political rights to any such person as provided for by Code of Alabama 1940, Title 42, Section 16, as amended.

Section 3. All laws or parts of laws in conflict herewith, including the conflicting provisions of Code of Alabama 1940, Title 42, are hereby repealed.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Nettles
Albea	Cornett	Hawkins	Paulk
Avery	Crawford	Heflin	Pierce
Baker (DeKalb)	Daniel	Hester	Posey
Baker (Madison)	Davis	Hogan	Powell
Bassett	Doggett	Holladay	Reynolds
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Scurlock
Bolton	Edington	Jones (Monroe)	Sessions
Bowers	Edwards (Escambia)	Locke	Slate
Branyon	Edwards (Lowndes)	McCorquodale	Smith
Brown (Jefferson)	Engel	McDermott	Stembridge
Burnham	Faulk	Martin	Sullivan
Burns	Fields	Mashburn	Teel
Callahan	Gilmore	Meade	Thomas
Cantrell	Glass	Meeks	Turner (Crenshaw)
Carr	Goodwyn	Merrill	Turner (Limestone)
Casey	Grouby	Moore	Turnham
Cates	Hain	Nabors	Vacca
Collins	Hannah	NeSmith	Wood

—80

And said bill, H. 295, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Bevill	Burns	Cook
Albea	Blanton	Callahan	Cooper
Avery	Bowers	Cantrell	Cornett
Baker (DeKalb)	Branyon	Carr	Crawford
Baker (Madison)	Brown (Jefferson)	Casey	Daniel
Bassett	Burnham	Cates	Davis

Doggett	Hain	Mashburn	Rogers
Downing	Hannah	Meade	Scurlock
Drake	Harper	Meeks	Sessions
Edington	Hawkins	Merrill	Slate
Edwards (Escambia)	Heflin	Moore	Smith
Edwards (Lowndes)	Hester	Nabors	Stembridge
Engel	Hogan	NeSmith	Sullivan
Faulk	Holladay	Nettles	Teel
Fields	Ingram	Paulk	Thomas
Fite	Jones (Covington)	Pierce	Turner (Crenshaw)
Gilmore	Jones (Monroe)	Posey	Turner (Limestone)
Glass	Locke	Powell	Turnham
Goldthwaite	McCorquodale	Pruitt	Vacca
Goodwyn	McDermott	Rast	Wood
Grouby	Martin	Reynolds	

—83

Nay:

Mr. Salter

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Collins to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 278 and H. 279, was adopted.

PASSAGE OF H. 278

And the bill:

H. 278. To provide for refunds of taxes, licenses, or other charges paid to the superintendent of insurance through mistake.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins	Glass	Meeks
Albea	Cook	Goldthwaite	Merrill
Avery	Cooper	Goodwyn	Moore
Bailes	Cornett	Grouby	Morrow
Baker (DeKalb)	Crawford	Hain	Nabors
Baker (Madison)	Daniel	Hannah	Nettles
Bassett	Davis	Harper	Paulk
Bethea (B)	Doggett	Hawkins	Perry
Bethea (M)	Dominick	Heflin	Pierce
Blanton	Downing	Hester	Posey
Bowers	Drake	Hogan	Powell
Branyon	Edington	Ingram	Pruitt
Brown (Jefferson)	Edwards (Escambia)	Jones (Covington)	Rast
Burnham	Edwards (Lowndes)	Jones (Monroe)	Reynolds
Callahan	Engel	Locke	Rogers
Campbell (Tuscaloosa)	Faulk	McCorquodale	Scurlock
Cantrell	Fields	McDermott	Sessions
Carr	Fite	Martin	Smith
Cates	Gilmore	Mashburn	Stembridge

Sullivan	Thomas	Turner (Limestone)	Vacca
Teel	Turner (Crenshaw)	Turnham	Wood

—85

PASSAGE OF H. 279

And the bill:

H. 279. (With Amendment). Authorizing the superintendent of the state department of insurance, when acting as agent or attorney for certain insurance companies, to collect a fee for accepting the service of legal process.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H. B. 279

Amend H. B. 279 by adding after the figure 413 in Section 1 of said bill the following:

“which said fee shall be paid into the State General fund”

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hannah	Perry
Albea	Daniel	Harper	Pierce
Bailes	Davis	Hawkins	Posey
Baker (DeKalb)	Doggett	Heflin	Powell
Baker (Madison)	Dominick	Hester	Pruitt
Bassett	Downing	Hogan	Rast
Bethea (B)	Drake	Ingram	Reynolds
Bethea (M)	Edington	Jones (Covington)	Rogers
Blanton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	McCorquodale	Sessions
Branyon	Engel	McDermott	Slate
Brown (Jefferson)	Etheredge	Mashburn	Smith
Burnham	Faulk	Meade	Stembridge
Callahan	Fields	Meeks	Sullivan
Campbell (Tuscaloosa)	Fite	Merrill	Teel
Cantrell	Gilmore	Moore	Turner (Crenshaw)
Carr	Glass	Morrow	Turner (Limestone)
Cates	Goldthwaite	Nabors	Turnham
Collins	Goodwyn	Nettles	Vacca
Cook	Grouby	Paulk	Wood
Cooper	Hain		

—82

And said bill, H. 279, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hain	Nettles
Albea	Crawford	Hannah	Paulk
Avery	Daniel	Harper	Perry
Bailes	Davis	Hawkins	Pierce
Baker (DeKalb)	Doggett	Heflin	Posey
Baker (Madison)	Dominick	Hester	Powell
Bassett	Downing	Hogan	Pruitt
Bethea (B)	Drake	Ingram	Rast
Bethea (M)	Edington	Jones (Covington)	Reynolds
Blanton	Edwards (Escambia)	Jones (Monroe)	Rogers
Bolton	Edwards (Lowndes)	Locke	Scurlock
Bowers	Engel	McCorquodale	Sessions
Branyon	Etheredge	McDermott	Slate
Brown (Jefferson)	Faulk	Martin	Smith
Burnham	Fields	Mashburn	Stembridge
Callahan	Fite	Meade	Sullivan
Campbell (Tuscaloosa)	Gilmore	Meeks	Teel
Cantrell	Glass	Merrill	Turner (Crenshaw)
Carr	Goldthwaite	Moore	Turnham
Cates	Goodwyn	Morrow	Vacca
Collins	Grouby	Nabors	Wood
Cook			

—85

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 419, was adopted.

PASSAGE OF H. 419

And the bill:

H. 419. (With Amendments). To amend Act No. 422, H. 325, Regular Session 1951, which is known as "The Alabama Real Estate License Law of 1951", and Act No. 513, Regular Session 1953.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Judiciary, said committee amendments being as follows:

JUDICIARY COMMITTEE AMENDMENT NO. 1 TO H. 419

Amend Section 7 by striking the word "and" in the third line thereof and inserting in lieu thereof the word "or".

Amend Section 18 by striking subparagraph (a) and inserting in lieu thereof the following paragraph:

"(a) Any person violating a provision of this Act shall, upon conviction of a first violation thereof, if a person, be punished by a fine of not less than One Hundred (\$100.00) Dollars nor more than Five Hundred (\$500.00) Dollars, or by imprisonment for a term not to exceed ninety days, or both; and if a corporation, be punished by a fine of not more than One thousand (\$1000.00) Dollars. Upon conviction of a second or subsequent violation, if a person, shall be punished by a fine of not less than

Five Hundred (\$500.00) Dollars nor more than One Thousand (\$1000.00) Dollars or by imprisonment for a term not to exceed two years, or both; and if a corporation, be punished by a fine of not less than Two Thousand (\$2000.00) Dollars nor more than Five Thousand (\$5000.00) Dollars. Any officer or agent of a corporation, or any member or agent of a partnership who shall personally participate in or be accessory to any violation of this Act by such corporation or partnership shall be subject to the penalties herein prescribed for individuals. Any court of competent jurisdiction shall have full power to try any violation of this Act and upon conviction the Court may impose the penalties herein provided for in this section.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cooper	Harper	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Davis	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Dominick	Ingram	Rast
Bassett	Downing	Jones (Covington)	Reynolds
Bethea (M)	Drake	Jones (Monroe)	Rogers
Bevill	Edington	Locke	Salter
Blanton	Edwards (Escambia)	McCorquodale	Scurlock
Bolton	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Branyon	Etheredge	Mashburn	Smith
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Morrow	Turner (Crenshaw)
Cantrell	Goodwyn	Nabors	Turnham
Carr	Grouby	NeSmith	Vacca
Casey	Hain	Nettles	Wood
Cates			

—90

And

JUDICIARY COMMITTEE AMENDMENT NO. 2 TO H. 419

Amend Section 3 (b) by striking sub-paragraph 4 and substituting in lieu thereof the following:

"4. To any state or national bank or to any person acting as a Receiver, a Commissioner acting under order of Court, Trustee, Administrator, Executor, or Guardian under a Court order or under a deed of trust or will,"

And the amendment was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Albea	Avery	Bailes
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Baker (DeKalb)	Cooper	Harper	Nettles
Baker (Madison)	Crawford	Hawkins	Paulk
Barnett	Daniel	Heflin	Perry
Bassett	Davis	Hester	Pierce
Bethea (B)	Doggett	Hogan	Posey
Bethea (M)	Dominick	Holladay	Powell
Bevill	Downing	Ingram	Pruitt
Blanton	Drake	Jones (Covington)	Rast
Bolton	Edington	Jones (Monroe)	Reynolds
Bowers	Edwards (Escambia)	Locke	Rogers
Branyon	Edwards (Lowndes)	McCorquodale	Salter
Brown (Jefferson)	Engel	McDermott	Scurlock
Burnham	Etheredge	Martin	Sessions
Burns	Faulk	Mashburn	Slate
Campbell (Tuscaloosa)	Fields	Meade	Smith
Cantrell	Fite	Meeks	Stembridge
Carr	Gilmore	Merrill	Sullivan
Casey	Glass	Moore	Teel
Cates	Goodwyn	Morrow	Turnham
Collins	Grouby	Nabors	Vacca
Cook	Hain	NeSmith	Wood

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And said bill, H. 419, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwyn	Nabors
Albea	Cook	Grouby	NeSmith
Avery	Cooper	Hain	Nettles
Bailes	Cornett	Hannah	Paulk
Baker (DeKalb)	Crawford	Harper	Perry
Baker (Madison)	Daniel	Hawkins	Posey
Barnett	Davis	Heflin	Powell
Bassett	Doggett	Hester	Pruitt
Bethea (B)	Dominick	Hogan	Rast
Bethea (M)	Downing	Holladay	Reynolds
Bevill	Drake	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Salter
Bolton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	Locke	Sessions
Branyon	Engel	McCorquodale	Slate
Brown (Jefferson)	Etheredge	McDermott	Smith
Burnham	Faulk	Martin	Stembridge
Burns	Fields	Mashburn	Sullivan
Callahan	Fite	Meade	Teel
Campbell (Tuscaloosa)	Gilmore	Meeks	Turnham
Cantrell	Glass	Merrill	Vacca
Carr	Goldthwaite	Moore	Wood
Casey			

—90

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Limstone) to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 284, and H. 285, was adopted.

PASSAGE OF H. 284

And the bill:

H. 284. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of poultry and poultry products.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Paulk
Albea	Cooper	Hannah	Perry
Avery	Cornett	Harper	Posey
Bailes	Crawford	Heflin	Powell
Baker (DeKalb)	Daniel	Hester	Pruitt
Baker (Madison)	Davis	Hogan	Rast
Barnett	Doggett	Holladay	Reynolds
Bassett	Dominick	Ingram	Rogers
Bethea (B)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Locke	Sessions
Bolton	Edwards (Escambia)	McCorquodale	Slate
Bowers	Edwards (Lowndes)	McDermott	Smith
Brown (Jefferson)	Engel	Martin	Stembridge
Burnham	Etheredge	Mashburn	Sullivan
Burns	Faulk	Meade	Teel
Callahan	Fields	Meeks	Thomas
Campbell (Tuscaloosa)	Fite	Merrill	Turner (Crenshaw)
Cantrell	Gilmore	Moore	Turner (Limestone)
Carr	Glass	Morrow	Turnham
Casey	Goldthwaite	Nabors	Vacca
Cates	Goodwyn	NeSmith	Wood
Collins	Grouby	Nettles	

—91

PASSAGE OF H. 285

And the bill:

H. 285. To authorize and provide for the promotion of the production, marketing and use of eggs and egg products by research, education, advertising and other methods; prescribing a method whereby producers of eggs may act jointly with handlers, buyers and processors of poultry and poultry products and with the State Board of Agriculture and Industries for a promotional program; providing that producers of eggs who own or have possession of hens may by referendum levy upon themselves assessments for financing a promotional program and for the collection and expenditure of funds collected from assessments, the regulations, requirements and authority relative thereto; prescribing duties of the Commissioner of Agriculture and Industries and the State Board of Agriculture and Industries with respect to such a promotional program; and providing for the administration thereof by nonprofit associations; and providing for the collection of assessments by dealers, handlers, processors or other purchasers of hens; requiring an annual permit of such dealers, processors and buyers of hens; refund rights of sellers of hens; and other administrative, enforcement and penalty provisions in connection with such a promotional program.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Paulk
Albea	Collins	Hain	Perry
Avery	Cook	Hannah	Posey
Bailes	Cooper	Harper	Powell
Baker (DeKalb)	Cornett	Heflin	Pruitt
Baker (Madison)	Crawford	Hester	Rast
Barnett	Daniel	Hogan	Reynolds
Basnett	Davis	Holladay	Rogers
Bethea (B)	Doggett	Ingram	Salter
Bevill	Dominick	Jones (Covington)	Scurlock
Blanton	Downing	Jones (Monroe)	Sessions
Bolton	Drake	Locke	Slate
Bowers	Edington	McCorquodale	Smith
Branyon	Edwards (Escambia)	McDermott	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Martin	Sullivan
Burnham	Etheredge	Meade	Teel
Burns	Faulk	Meeks	Thomas
Callahan	Fields	Moore	Turner (Crenshaw)
Camp	Fite	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turnham
Cantrell	Glass	NeSmith	Vacca
Carr	Goldthwaite	Nettles	Wood
Casey	Goodwyn		

—91

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bethea (M) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 471, was adopted.

PASSAGE OF H. 471

And the bill:

H. 471. (With Amendment). Providing special educational benefits for the legal children of Thomas Willard Ray, Leo F. Baker, Riley W. Shamburger, and Wade Carroll Gray, four citizens of the State of Alabama who were killed at the Bay of Pigs, Cuba.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend H. B. 471, by adding at the end of Section 4 the following sentence.

"Such benefit is entitled to the legal children of the named men, to be considered as ranking ahead of the children of non-veterans, living veterans and veterans who have died of non-service-connected causes, provided, that all qualifications and requirements of such schools are met."

On motion of Mr. Bethea (M) the amendment reported by the Standing Committee on Ways and Means was laid upon the table.

Mr. Bethea (M) offered the following amendment to the bill, H. 471:

AMENDMENT TO H. B. 471:

Add the following sentence at the end of Section 4:

"Such preference shall entitle the legal children of these men to be considered as ranking ahead of the children of non-veterans, living veterans, and veterans who have died of non-service connected causes, provided that all other qualifications and requirements for such scholarships are met."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Goldthwaite	Nabors
Albea	Cates	Goodwyn	Nettles
Avery	Cook	Grouby	Paulk
Bailes	Cooper	Hain	Perry
Baker (BeKath)	Crawford	Hannah	Posey
Baker (Madison)	Daniel	Harper	Powell
Barnett	Davis	Hester	Pruitt
Bassett	Doggett	Hogan	Rast
Bethea (B)	Dominick	Ingram	Reynolds
Bethea (M)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Scurlock
Bolton	Edgington	Locke	Sessions
Bowers	Edwards (Escambia)	McCorquodale	Slate
Branyon	Edwards (Lowndes)	McDermott	Smith
Burnham	Etheredge	Martin	Stembridge
Callahan	Faulk	Mashburn	Sullivan
Camp	Fields	Meade	Teel
Campbell (Tuscaloosa)	Fite	Meeks	Turnham
Cantrell	Gilmore	Merrill	Vacca
Carr	Glass	Moore	Wood

—80

On motion of Mr. Bethea (M), the motion of Mr. Holladay to postpone further consideration of the bill, H. 471, as amended, until the twentieth legislative day, was laid upon the table.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Collins	Etheredge	Ingram
Albea	Cook	Faulk	Jones (Covington)
Bailes	Cooper	Fite	Jones (Monroe)
Baker (BeKath)	Crawford	Gilmore	Locke
Barnett	Daniel	Glass	McCorquodale
Bassett	Davis	Goldthwaite	McDermott
Bethea (B)	Doggett	Goodwyn	Martin
Bevill	Dominick	Grouby	Mashburn
Bowers	Downing	Hain	Meeks
Branyon	Drake	Harper	Merrill
Brown (Jefferson)	Edgington	Heflin	Moore
Cantrell	Edwards (Escambia)	Hester	Morrow
Cates	Edwards (Lowndes)	Hogan	Nettles

Paulk	Reynolds	Slate	Thomas
Perry	Rogers	Smith	Turner (Limestone)
Posey	Salter	Stembridge	Turnham
Pruitt	Scurlock	Sullivan	Vacca
Rast	Sessions	Teel	Wood

—72

And said bill, H. 471, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Cook	Hain	Paulk
Albea	Cooper	Hannah	Perry
Avery	Crawford	Harper	Posey
Bailes	Daniel	Heflin	Powell
Baker (DeKalb)	Davis	Hester	Pruitt
Barnett	Doggett	Hogan	Rast
Bassett	Dominick	Ingram	Reynolds
Bethea (B)	Downing	Jones (Covington)	Rogers
Bethea (M)	Drake	Jones (Monroe)	Salter
Bevill	Edington	Locke	Scurlock
Bolton	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Slate
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Stembridge
Burnham	Faulk	Meade	Sullivan
Burns	Fields	Meeks	Teel
Callahan	Fite	Merrill	Thomas
Campbell (Tuscaloosa)	Gilmore	Moore	Turner (Crenshaw)
Cantrell	Glass	Morrow	Turner (Limestone)
Carr	Goldthwaite	Nabors	Turnham
Casey	Goodwyn	NeSmith	Vacca
Cates	Grouby	Nettles	Wood
Collins			

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Nay:

Mr. Holladay

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 433, was adopted.

PASSAGE OF H. 433

And the bill:

H. 433. To amend Section 154, Title 41, Code of Alabama 1940, as last amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 16.

Yeas:

Mr. Speaker	Cooper	Hannah	Rast
Bailes	Crawford	Hogan	Reynolds
Baker (DeKalb)	Daniel	Ingram	Rogers
Baker (Madison)	Doggett	Jones (Covington)	Salter
Bassett	Downing	McCorquodale	Scurlock
Bevill	Drake	McDermott	Slate
Bolton	Edwards (Escambia)	Mashburn	Smith
Branyon	Edwards (Lowndes)	Meade	Stembridge
Brown (Jefferson)	Engel	Merrill	Sullivan
Burnham	Faulk	Nabors	Turner (Crenshaw)
Callahan	Fite	NeSmith	Turner (Limestone)
Camp	Glass	Nettles	Turnham
Cantrell	Goodwyn	Paulk	Vacca
Collins	Grouby	Perry	Wood
Cook	Hain	Posey	

—59

Nays:

Messrs.	Casey	Gilmore	Meeks
Albea	Cates	Harper	Moore
Avery	Cornett	Hester	Powell
Barnett	Davis	Jones (Monroe)	Sessions
Campbell (Tuscaloosa)			

—16

UNANIMOUS CONSENT GRANTED

Messrs. Turnham, Jones (Covington) and Goodwyn requested unanimous consent to add their names as co-authors of the bill, H. 433, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 401, was adopted.

PASSAGE OF H. 401

And the bill:

H. 401. Relating to taxation: To exempt certain ingredients used in mixing and preparing feeds for livestock and poultry from the State Sales and Use Taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 4.

Yeas:

Mr. Speaker	Bassett	Brown (Jefferson)	Carr
Albea	Bethea (B)	Burnham	Casey
Avery	Bevill	Callahan	Cates
Baker (DeKalb)	Bolton	Camp	Collins
Baker (Madison)	Bowers	Campbell (Tuscaloosa)	Cook
Barnett	Branyon	Cantrell	Crawford

Daniel	Hain	Meeks	Salter
Downing	Harper	Merrill	Scurlock
Drake	Heflin	Moore	Sessions
Edington	Hester	Morrow	Slate
Edwards (Escambia)	Hogan	Nabors	Smith
Edwards (Lowndes)	Ingram	NeSmith	Stembridge
Engel	Jones (Covington)	Nettles	Sullivan
Etheredge	Jones (Monroe)	Perry	Teel
Faulk	Locke	Posey	Turner (Crenshaw)
Fields	McDermott	Pruitt	Turner (Limestone)
Gilmore	Martin	Rast	Turnham
Glass	Mashburn	Reynolds	Vacca
Grouby	Meade	Rogers	Wood

—76

Nays:

Messrs.	Burns	Fite	Goodwyn
Bailes			

—4

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 504, was adopted.

PASSAGE OF H. 504

And the bill:

H. 504. To adopt the Interstate Compact On Juveniles, to authorize the Governor to execute the Compact with other states; to designate the Commissioner, State Department of Pensions and Security, as Compact Administrator and to empower him to make supplementary agreements and arrangements for cooperative services on the Compact.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Carr	Glass	Meeks
Albea	Casey	Goldthwaite	Merrill
Avery	Collins	Grouby	Moore
Bailes	Cook	Hain	Nabors
Baker (DeKalb)	Cooper	Hannah	NeSmith
Baker (Madison)	Crawford	Harper	Nettles
Barnett	Daniel	Heflin	Paulk
Bassett	Doggett	Hester	Posey
Bevill	Downing	Hogan	Powell
Bolton	Drake	Ingram	Pruitt
Bowers	Edington	Jones (Covington)	Rogers
Branyon	Edwards (Escambia)	Jones (Monroe)	Salter
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Scurlock
Burnham	Faulk	McDermott	Sessions
Burns	Fields	Martin	Slate
Campbell (Tuscaloosa)	Fite	Mashburn	Smith
Cantrell	Gilmore	Meade	Stembridge

Sullivan
Teel

Turner (Limestone)
Turnham

Vacca

Wood

—74

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 207 and H. 209, was adopted.

PASSAGE OF H. 207

And the bill:

H. 207. To amend Section 2 of Act No. 415, S. 280, Regular Session 1959, (Acts 1959, p. 1102) relating to service of process in civil suits on certain persons who have absented themselves from the state; prescribing the fee to be charged by the secretary of state for services performed in connection therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Casey	Glass	Nabors
Avery	Cates	Goldthwaite	NeSmith
Bailes	Collins	Grouby	Nettles
Baker (Madison)	Cook	Hain	Paulk
Barnett	Cooper	Hannah	Posey
Bassett	Cornett	Harper	Powell
Bevill	Crawford	Heflin	Pruitt
Blanton	Daniel	Hester	Rogers
Bolton	Doggett	Holladay	Salter
Bowers	Dominick	Ingram	Scurlock
Branyon	Downing	Jones (Covington)	Sessions
Brown (Jefferson)	Drake	Locke	Slate
Burnham	Edington	McCorquodale	Smith
Burns	Edwards (Escambia)	McDermott	Stembridge
Callahan	Engel	Martin	Sullivan
Camp	Faulk	Meade	Teel
Campbell (Tuscaloosa)	Fields	Meeks	Turner (Limestone)
Cantrell	Fite	Merrill	Vacca
Carr	Gilmore	Moore	Wood

—76

PASSAGE OF H. 209

And the bill:

H. 209. To further amend Code of Alabama 1940, Title 7, Sections 192, 193, and 199 relating to process and notice to non-residents and unknown parties, to prescribe the fee to be charged by the Secretary of State for services performed in connection therewith.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Avery	Collins	Hannah	Paulk
Bailes	Cook	Harper	Perry
Baker (Madison)	Cooper	Heflin	Posey
Barnett	Cornett	Hester	Powell
Bassett	Crawford	Hogan	Pruitt
Bethea (B)	Daniel	Holladay	Rast
Bevill	Doggett	Ingram	Rogers
Blanton	Dominick	Jones (Covington)	Salter
Bolton	Downing	Jones (Monroe)	Scurlock
Bowers	Drake	Locke	Sessions
Branyon	Edwards (Escambia)	McCorquodale	Slate
Brown (Jefferson)	Edwards (Lowndes)	McDermott	Smith
Burnham	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Sullivan
Callahan	Fite	Merrill	Teel
Camp	Gilmore	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Morrow	Turner (Limestone)
Cantrell	Goldthwaite	Nabors	Vacca
Carr	Goodwyn	NeSmith	Wood
Casey	Grouby		

—82

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bevill to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 210, was adopted.

PASSAGE OF H. 210

And the bill:

H. 210. To repeal Sections 21 and 22 of Title 13, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 2.

Yeas:

Mr. Speaker	Burns	Downing	Hawkins
Albea	Callahan	Drake	Heflin
Avery	Camp	Edington	Hester
Bailes	Campbell (Tuscaloosa)	Edwards (Escambia)	Hogan
Baker (Madison)	Cantrell	Edwards (Lowndes)	Holladay
Barnett	Carr	Faulk	Ingram
Bassett	Casey	Fields	Jones (Covington)
Bethea (B)	Cates	Fite	Jones (Monroe)
Bethea (M)	Collins	Gilmore	McCorquodale
Bevill	Cook	Glass	McDermott
Blanton	Cooper	Goodwyn	Martin
Bowers	Crawford	Grouby	Meade
Branyon	Daniel	Hain	Meeks
Brown (Jefferson)	Doggett	Hannah	Merrill
Burnham	Dominick	Harper	Nabors

NeSmith	Powell	Scurlock	Thomas
Nettles	Pruitt	Sessions	Turner (Crenshaw)
Paulk	Rast	Smith	Turnham
Pierce	Rogers	Stembridge	Vacca
Posey	Salter	Sullivan	Wood

—80

Nays:

Messrs.	Moore	Slate
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—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Wood to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 340, was adopted.

PASSAGE OF H. 340

And the bill:

H. 340. To amend further Code of Alabama 1940, Title 8, Section 204, which relates to burning woods, brush, grass and like inflammable objects, so as to prescribe further the penalties for certain violations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 6.

Yeas:

Mr. Speaker	Cook	Grouby	Pierce
Albea	Cooper	Hannah	Posey
Avery	Crawford	Harper	Powell
Bailes	Daniel	Hawkins	Pruitt
Baker (Madison)	Davis	Heflin	Rast
Barnett	Doggett	Hogan	Reynolds
Bassett	Dominick	Holladay	Rogers
Bevill	Downing	Locke	Salter
Bolton	Drake	McCorquodale	Sessions
Bowers	Edington	McDermott	Slate
Branyon	Edwards (Escambia)	Meade	Smith
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Stembridge
Burnham	Engel	Merrill	Teel
Burns	Etheredge	Moore	Thomas
Campbell (Tuscaloosa)	Faulk	Morrow	Turner (Crenshaw)
Cantrell	Fields	Nabors	Turner (Limestone)
Carr	Fite	NeSmith	Vacca
Cates	Gilmore	Perry	Wood
Collins	Glass		

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Nays:

Messrs.	Callahan	Hain	Jones (Monroe)
Blanton	Casey	Jones (Covington)	

—6

RESOLUTION

The following resolution was introduced:

By Mr. Fite:

H. J. R. 80. Be it resolved by the House the Senate concurring that when the two Houses adjourn today they adjourn to meet again on July 9, 1963.

On motion of Mr. Fite the rules were suspended and H.J.R. 80 was adopted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 10:50 A.M. On June 27, 1963

H.J.R. 31 H. 319 H. 450

H.J.R. 67 H. 338 H. 124

H.J.R. 68 H. 372 H. 125

H.J.R. 72 H. 373

H.J.R. 73 H. 374

H.J.R. 74 H. 375

H.J.R. 75 H. 376

H.J.R. 76 H. 381

H.J.R. 77 H. 382

H. 250 H. 423

H. 272 H. 426

H. 275 H. 427

H. 276 H. 428

H. 277 H. 354

H. 281 H. 416

H. 282 H. 429

H. 287 H. 430

H. 298 H. 32

H. 299 H. 435

REGULAR SESSION

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H. 302 H. 134

H. 303 H. 296

H. 313 H. 384

H. 317 H. 438

H. 318 H. 445

Delivered to the Governor at 11:40 A.M. On June 27, 1963

H. 470

H. 484

H. 476

H. 477

H. 479

Delivered to the Secretary of State at 10:52 A.M. On June 27, 1963

H. 467

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Fite, the House adjourned until Tuesday, July 9, 1963, at twelve o'clock, noon.

NINETEENTH DAY

House of Representatives
Montgomery, Alabama
Friday, June 28, 1963

The House did not meet today.

TWENTIETH DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 9, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend John E. Vickers, Pastor, St. James Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Avery	Cook	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Jones (Covington)	Rogers
Bethea (M)	Dominick	Jones (Monroe)	Salter
Blanton	Downing	Little	Scurlock
Bolton	Drake	Locke	Sessions
Boston	Edington	McCorquodale	Slate
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Snell
Brown (Jefferson)	Engel	Mashburn	Steagall
Brown (Tuscaloosa)	Etheredge	Meade	Stembridge
Burnham	Fauik	Meeks	Teel
Burns	Fields	Merrill	Thomas
Callahan	Fite	Moore	Turner (Crenshaw)
Camp	Gilmore	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Vacca
Cantrell	Goodwyn	Nettles	Wood
Carr	Grouby	Owens	Young
Casey	Hain	Paulk	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Callahan leave of absence was granted to Mr. Sullivan because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 81. BE IT RESOLVED BY THE HOUSE That the following bills in the order named be made special, paramount and continuing order of business, at this time, taking precedence over any other business of the House.

Page 35	H. B. 568
Page 36	H. B. 569
Page 39	H. B. 357
Page 40	H. B. 358
Page 40	H. B. 359
Page 41	H. B. 360
Page 41	H. B. 361
Page 41	H. B. 362
Page 31	H. B. 523
Page 24	H. B. 405
Page 25	H. B. 406
Page 25	H. B. 407
Page 28	H. B. 417
Page 16	H. B. 333
Page 38	H. B. 516

And H.R. 81 was adopted.

Yeas 64; Nays 24.

Yeas:

Mr. Speaker	Crawford	Hain	Nettles
Baker (DeKalb)	Daniel	Hannah	Owens
Baker (Madison)	Davis	Hawkins	Paulk
Bassett	Doggett	Heflin	Powell
Bolton	Drake	Hester	Pruitt
Boston	Edington	Hogan	Reynolds
Branyon	Edwards (Escambia)	Holladay	Rogers
Burnham	Edwards (Lowndes)	Jones (Monroe)	Salter
Burns	Engel	Little	Scurlock
Campbell (Jackson)	Faulk	McCorquodale	Snell
Cantrell	Fields	McDermott	Steagall
Casey	Fite	Mashburn	Stembridge
Cates	Glass	Meade	Thomas
Cook	Goldthwaite	Merrill	Turner (Crenshaw)
Cooper	Goodwyn	Nabors	Turnham
Cornett	Grouby	NeSmith	Young

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Nays:

Messrs.	Campbell (Tuscaloosa)	Jones (Covington)	Perry
Albea	Carr	Locke	Rast
Bailes	Dominick	Martin	Sessions
Barnett	Downing	Meeks	Slate
Bowers	Etheredge	Morrow	Smith
Brown (Jefferson)	Gilmore	Pennington	Turner (Limestone)
Brown (Tuscaloosa)			

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**BILLS ON THIRD READING
SPECIAL ORDER**

The House proceeded to the consideration of the Special Order.

And the bill:

H. 494. Relating to contractors bidding on highway work submitting a check or bid bond with their bid as a proposal guaranty.

Was taken up.

Mr. Rast offered the following amendment to the bill, H. 494:

Amendment to H. B. 494

Strike out Section 1 of the bill and insert in lieu thereof the following:

Section 1. Any other provisions of the law to the contrary notwithstanding, bidders for contract projects where the contracts are with the State of Alabama in behalf of the state highway department to be paid for in whole or in part from funds allocated to the state highway department from any source whatsoever, or where contracts are with any of the several counties of the state for a highway, road, street, or bridge project to be paid for in whole or in part from funds allocated to the county from any source whatsoever, shall be required to file with the bid as a bid guaranty a certified check or a bid bond payable to the awarding authority as follows:

(a) On project involving less than \$500,000, an amount equal to five percent of the awarding authority's estimate or contractor's bid, but not more than \$10,000;

(b) On project involving \$500,000 or more, an amount equal to five percent of the awarding authority's estimate or contractor's bid, but not more than \$50,000.

And the amendment was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Fields	Locke
Albee	Carr	Fite	McCorquodale
Bailes	Casey	Gilmore	McDermott
Baker (Madison)	Cates	Glass	Mashburn
Barnett	Collins	Goldthwaite	Meade
Bassett	Cooper	Goodwyn	Meeks
Bethea (B)	Crawford	Grouby	Merrill
Bethea (M)	Daniel	Hain	Moore
Bolton	Davis	Hankins	Morrow
Boston	Doggett	Hannah	Nabors
Bowers	Dominick	Harper	Nettles
Branyon	Downing	Hawkins	Owens
Brown (Jefferson)	Drake	Heflin	Paulk
Brown (Tuscaloosa)	Edgington	Hester	Pennington
Burnham	Edwards (Escambia)	Hogan	Perry
Burns	Edwards (Lowndes)	Holladay	Pierce
Callahan	Engel	Jones (Covington)	Posey
Camp	Etheredge	Jones (Monroe)	Powell
Campbell (Jackson)	Faulk	Little	Rast

Reynolds	Sessions	Steagall	Turner (Crenshaw)
Rogers	Slate	Stembridge	Turner (Limestone)
Salter	Smith	Teel	Turnham
Scurlock	Snell	Thomas	Vacca

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And said bill, H. 494, as thus amended, was read a third time at length and passed.

Yeas 83; Nays 10.

Yeas:

Mr. Speaker	Crawford	Harper	Perry
Bailes	Daniel	Hawkins	Pierce
Baker (Madison)	Davis	Heflin	Posey
Barnett	Doggett	Hester	Powell
Bethea (M)	Dominick	Hogan	Pruitt
Bolton	Downing	Holladay	Rast
Boston	Drake	Jones (Monroe)	Reynolds
Bowers	Edington	Little	Rogers
Branyon	Edwards (Escambia)	McCorquodale	Salter
Brown (Jefferson)	Engel	McDermott	Scurlock
Brown (Tuscaloosa)	Faulk	Martin	Sessions
Burns	Fields	Mashburn	Snell
Campbell (Jackson)	Fite	Meeks	Steagall
Cantrell	Gilmore	Merrill	Stembridge
Carr	Glass	Moore	Teel
Casey	Goldthwaite	Morrow	Thomas
Cates	Goodwyn	Nabors	Turner (Crenshaw)
Collins	Grouby	Nettles	Turner (Limestone)
Cook	Hain	Owens	Turnham
Cooper	Hankins	Paulk	Vacca
Cornett	Hannah	Pennington	

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Nays:

Messrs.	Bethea (B)	Etheredge	NeSmith
Albea	Burnham	Jones (Covington)	Slate
Bassett	Camp	Meade	

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H. 568 POSTPONED

And the bill:

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was taken up.

The motion of Mr. Fite to lay on the table the motion of Mr. Dominick to postpone further consideration of the bill, H. 568, until the twenty-second legislative day was lost.

Yeas 42; Nays 49.

Yeas:

Mr. Speaker	Blanton	Cantrell	Daniel
Baker (Madison)	Callahan	Cooper	Edington

Edwards (Escambia)	Harper	Meade	Rogers
Engel	Hawkins	Merrill	Salter
Faulk	Hester	Moore	Steagall
Fields	Hogan	Nettles	Stembridge
Fite	Jones (Covington)	Paulk	Thomas
Glass	Jones (Monroe)	Posey	Turner (Greshaw)
Goodwyn	McCorquodale	Powell	Turnham
Grouby	McDermott	Reynolds	Young
Hankins	Martin		

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Nays:

Messrs.	Brown (Tuscaloosa)	Drake	NeSmith
Albea	Burnham	Etheredge	Pennington
Avery	Camp	Gilmore	Perry
Bailes	Campbell (Jackson)	Goldthwaite	Pierce
Barnett	Campbell (Tuscaloosa)	Hain	Pruitt
Bassett	Casey	Heflin	Rast
Bethea (B)	Cates	Holladay	Scurlock
Bethea (M)	Collins	Little	Sessions
Bolton	Cornett	Locke	Slate
Boston	Crawford	Mashburn	Smith
Bowers	Davis	Meeks	Teel
Branyon	Dominick	Morrow	Turner (Limestone)
Brown (Jefferson)	Downing		

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The question was then on the motion of Mr. Dominick to postpone further consideration of the bill, H. 568, until the twenty-second legislative day, and said motion was adopted.

Yeas 50; Nays 46.

Yeas:

Messrs.	Burnham	Etheredge	Perry
Albea	Camp	Gilmore	Pierce
Avery	Campbell (Jackson)	Goldthwaite	Pruitt
Bailes	Campbell (Tuscaloosa)	Heflin	Rast
Barnett	Carr	Holladay	Scurlock
Bassett	Casey	Little	Sessions
Bethea (B)	Cates	Locke	Slate
Bethea (M)	Collins	Mashburn	Smith
Bolton	Cornett	Meeks	Teel
Bowers	Crawford	Morrow	Turner (Limestone)
Branyon	Davis	NeSmith	Vacca
Brown (Jefferson)	Dominick	Owens	Young
Brown (Tuscaloosa)	Downing	Pennington	

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Nays:

Mr. Speaker	Drake	Grouby	McDermott
Baker (Madison)	Edington	Hain	Martin
Blanton	Edwards (Escambia)	Hankins	Meade
Boston	Edwards (Lowndes)	Harper	Merrill
Callahan	Engel	Hawkins	Moore
Cantrell	Faulk	Hester	Nettles
Cook	Fields	Hogan	Paulk
Cooper	Fite	Jones (Covington)	Posey
Daniel	Glass	Jones (Monroe)	Powell
Doggett	Goodwyn	McCorquodale	Reynolds

Rogers
Steagall

Stembridge
Thomas

Turner (Crenshaw)

Turnham

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H. 569 POSTPONED

On motion of Mr. Fite, consideration of the bill, H. 569, was postponed until the twenty-second legislative day.

And the bill:

H. 357. (With Substitute). To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1964 and September 30, 1965, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

Substitute for H. B. 357

A BILL TO BE ENTITLED AN ACT

To make annual appropriations for the support, maintenance, and development of public education in Alabama for each of the fiscal years ending September 30, 1964 and September 30, 1965, including all schools, agencies, services and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, the Alabama Educational Television Commission, and for the Teachers' Retirement System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That for the purpose of this Act, the following classifications, definitions and restrictions shall be applicable: (a) "salary" and "other salaries", wherever appearing herein, shall mean the wages or other compensation for skill, work or employment for anyone performing services for the State of Alabama as an employee, officer or official, and shall be expended only for such purposes; (b) "other expenses" shall mean the operating costs of agencies, departments, boards, bureaus and institutions of the State, other than salaries and equipment purchases and shall be expended only for operating costs incident to the normal operations of such agencies, departments, boards, bureaus and institutions, in-

cluding supplies and materials, postage, telephone, telegraph, express, travel expense, motor vehicle operations, lights, water, power, insurance and bonding, printing and binding, repairs, rental and items of general expense not defined as "equipment purchases", and the money appropriated therefor shall be expended only for such purposes; (c) "equipment purchases" shall mean those items of office equipment, motor or vehicle equipment, and other equipment which have an appreciable and calculable period of usefulness in excess of one year, and the money appropriated therefor shall be expended only for such purposes, and the total amounts herein appropriated therefor shall not be increased by the expenditure of any revenue derived from the sale, trade-in or exchange of any items of personal property.

Section 2. The appropriations provided for in this Act shall be paid from funds in the State Treasury to the credit of the Alabama Special Educational Trust Fund and are hereby made for the support of public education in Alabama for each of the two fiscal years ending September 30, 1964 and September 30, 1965, respectively; and, except as may be otherwise expressly provided, the appropriations herein made in Section 3 to 15, inclusive, shall be subject to the provisions, terms, conditions and limitations of the Budget and Financial Control Act (Article 3, Chapter 4, Title 55 of the Code of Alabama 1940) and shall be in the amounts specified in said sections.

Section 3. DEPARTMENT OF EDUCATION

A. For the Department of Education:

For the fiscal year ending

September 30, 1964:

For the salary of the State

Superintendent	\$ 10,000.00
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For other salaries	337,500.00
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For other expenses	110,000.00
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For rental expense	90,910.00
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For equipment purchases	2,000.00
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For transfer to State Personnel	
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Department	6,952.00
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Total	\$ 557,362.00
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For the fiscal year ending

September 30, 1965:

For the salary of the State

Superintendent	10,000.00
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For other salaries	337,500.00
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For other expenses	110,000.00
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For rental expense	90,910.00
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For equipment purchases	2,000.00
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For transfer to State Personnel	
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Department	7,099.00
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Total	557,509.00
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B. To the Department of Education for Plans and Surveys:

For salaries	20,118.00
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For other expenses	3,312.00
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Total	23,430.00
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C. National Defense Education

For the fiscal year ending

September 30, 1964:

REGULAR SESSION

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Program:		
For operation	91,639.00	
For rental expense	5,700.00	
Total		97,339.00
For the fiscal year ending September 30, 1965:		
For operation	95,555.00	
For rental expense	5,700.00	
Total		101,255.00
(The above appropriation to be expended for Title III and Title V Programs exclusively.)		
D. Civil Defense Survival Plan:		
For the fiscal year ending September 30, 1964		7,080.00
For the fiscal year ending September 30, 1965		7,320.00
E. Coordination of In-School Television Program		36,500.00

Section 4. STATE BOARD OF EDUCATION

A. Agricultural and Mechanical Institute at Normal, Alabama:		
For the fiscal year ending September 30, 1964:		
For the operation and maintenance of the Institute		1,265,291.00
For the fiscal year ending September 30, 1965:		
For the operation and maintenance of the Institute		1,316,197.00
B. Alabama State College for Negroes:		
For the fiscal year ending September 30, 1964:		
For the operation and maintenance of the College		1,316,895.00
For the fiscal year ending September 30, 1965:		
For the operation and maintenance of the College		1,369,876.00
C. Civilian Rehabilitation:		
For the fiscal year ending September 30, 1964:		
For the rehabilitation of handicapped individuals	993,000.00	
For rental expense	7,000.00	
Total		1,000,000.00
For the fiscal year ending September 30, 1965:		
For the rehabilitation of handicapped individuals	1,023,000.00	
For rental expense	7,000.00	
Total		1,030,000.00

(No administrative costs included
herein)

D. Free Textbooks:

For the fiscal year ending

September 30, 1964:

For salaries 20,000.00

For other expenses 20,000.00

For purchase of free textbooks 1,430,000.00

Total 1,470,000.00

For the fiscal year ending

September 30, 1965:

For salaries 20,000.00

For other expenses 20,000.00

For purchase of free textbooks 1,441,000.00

Total 1,481,000.00

The above appropriation shall be expended by the State Board of Education for the purpose of furnishing free textbooks in the tax supported public elementary schools of the State in accordance with the statutes and regulations of the Board in regard thereto, but only for the first, second, third and fourth grades for the fiscal year ending September 30, 1964 and for the first, second, third, fourth and fifth grades for the fiscal year ending September 30, 1965.

E. Minimum Program Fund:

In addition to all other funds appropriated for the public elementary and high schools of the State, there is hereby appropriated to the State Board of Education for the fiscal year ending September 30, 1964, the sum of \$127,070,102.00 and for the fiscal year ending September 30, 1965, the sum of \$129,046,262.00 to be known as the Minimum Program Fund, which, in accordance with the statutes and regulations of the State Board of Education relating to the expenditure of such fund, shall be used for providing a minimum term and for the equalization of educational opportunity in the public schools of the State; provided that so much thereof as may be necessary of the above appropriations for each year shall be used by the State Board of Education to provide for additional teacher units for each school system in the State which on the basis of current school attendance shall be entitled to additional teacher units over the number allowed based on the year immediately preceding said current year; provided further, that in no case shall a term of less than nine months in tax districts be approved, except that the State Board of Education, upon the recommendation of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education, shall be authorized to make full allotments of funds to any school system for the time actually taught, if in the judgment of the State Superintendent of Education and the State Board of Education unusual conditions beyond the control of the local Board of Education in any school are such as to prevent the operation of that school for the required nine months minimum term; provided further, that the amount herein appropriated for the Minimum Program Fund shall include all moneys earmarked for public school teachers' salaries as provided in the Income Tax Amendment ratified on the 26th day of August, 1947. The Minimum Program Fund shall also include any other appropriations of funds, either State or Federal, which may be designated by the Legislature as a part of the Minimum Program Fund.

F. Physical Restoration of Crippled Children:		
For the fiscal year ending September 30, 1964:		
Handicapped Individuals	877,100.00	
For rental expense	3,800.00	
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Total		880,900.00
For the fiscal year ending September 30, 1965:		
Handicapped Individuals	901,200.00	
For rental expense	3,800.00	
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Total		905,000.00
G. Regional Education		98,950.00
H. Student Aid in Graduate and Professional Fields		91,395.00
I. The State Colleges:		
(a) Florence State College	95,500.00	
(b) Jacksonville State College	95,500.00	
(c) Livingston State College	88,500.00	
(d) Troy State College	88,500.00	
J. Teacher Training Equalization Fund:		
For the teachers training program at State Colleges at Florence, Jacksonville, Livingston and Troy,		
For the fiscal year ending September 30, 1964		3,177,460.00
For the fiscal year ending September 30, 1965		3,292,418.00
K. Vocational Education:		
For the fiscal year ending September 30, 1964:		
For salaries	33,000.00	
For other expenses	23,276.00	
For rental expense	7,500.00	
For equipment purchases	1,650.00	
Disbursements to Local Boards and Institutions	6,102,773.00	
For the operation and maintenance of the Alabama Institute of Aviation Technology at Ozark	109,507.00	
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Total		6,277,706.00
For the fiscal year ending September 30, 1965:		
For salaries	33,000.00	
For other expenses	23,276.00	
For rental expense	7,500.00	
For equipment purchases	1,650.00	
Disbursements to Local Boards and Institutions	6,348,601.00	

For the operation and maintenance
of the Alabama Institute of Aviation
Technology at Ozark 113,912.00

Total 6,527,939.00

L. State Vocational Technical Schools:

For the fiscal year ending
September 30, 1964:

For operation and maintenance:

(a) Alabama School of Trades	322,436.00
(b) Carver	145,303.00
(c) Gadsden	130,000.00
(d) George C. Wallace	330,093.00
(e) Huntsville	200,000.00
(f) John Patterson	243,348.00
(g) J. P. Shelton	262,275.00
(h) Mobile	267,013.00
(i) Tennessee Valley	445,940.00
(j) Wenonah	235,590.00

Total \$ 2,581,998.00

For the fiscal year ending
September 30, 1965:

For operation and maintenance:

(a) Alabama School of Trades	335,409.00
(b) Carver	151,149.00
(c) Gadsden	143,000.00
(d) George C. Wallace	343,374.00
(e) Huntsville	220,000.00
(f) John Patterson	253,139.00
(g) J. P. Shelton	272,826.00
(h) Mobile	277,755.00
(i) Tennessee Valley	463,882.00
(j) Wenonah	245,069.00

Total 2,705,603.00

M. Elementary Teacher Scholarship

Fund 25,000.00

Section 5. BOARD OF TRUSTEES OF ALABAMA
BOYS' INDUSTRIAL SCHOOL:

For the fiscal year ending

September 30, 1964:

For the operation and maintenance
of the Alabama Boys' Industrial
School

366,255.00

For the fiscal year ending

September 30, 1965:

For the operation and maintenance
of the Alabama Boys' Industrial
School

380,990.00

Section 6. BOARD OF TRUSTEES OF
ALABAMA COLLEGE

For the fiscal year ending

September 30, 1964:

For the operation and maintenance
of the College

962,221.00

For the fiscal year ending September 30, 1965: For the operation and maintenance of the College	998,095.00
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Section 7. ALABAMA EDUCATIONAL
TELEVISION COMMISSION:

For the fiscal year ending September 30, 1964:		
For salaries	147,389.00	
For other expenses	93,443.00	
For equipment purchases	39,553.00	
For additions and betterments	250,000.00	
Total		607,476.00

For the fiscal year ending September 30, 1965:		
For salaries	153,319.00	
For other expenses	177,509.00	
For equipment purchases	41,030.00	
For additions and betterments	250,000.00	
Total	\$	621,858.00

Section 8. BOARD OF TRUSTEES OF ALABAMA
INDUSTRIAL SCHOOL FOR NEGROES:

For the fiscal year ending September 30, 1964:		
For operation and maintenance of the Alabama Industrial School for Negroes		280,965.00
For additions and betterments of Alabama Industrial School for Negroes		250,000.00
For the fiscal year ending September 30, 1965:		
For operation and maintenance of the Alabama Industrial School for Negroes		292,269.00

Section 9. BOARD OF TRUSTEES OF ALABAMA
INSTITUTE FOR DEAF AND BLIND:

For the Fiscal year ending September 30, 1964:		
For operation and maintenance of the school		1,101,256.00
For salaries and expenses incident to instruction of Adult Blind		146,322.00
For the fiscal year ending September 30, 1965:		
For operation and maintenance of the school		1,145,562.00
For salaries and expenses incident to instruction of Adult Blind		152,208.00

Section 10. BOARD OF TRUSTEES OF AUBURN UNIVERSITY:

A. The College:

For the fiscal year ending

September 30, 1964:

(1) For operation and maintenance ..	5,984,145.00
(2) Engineering Experiment Station ..	122,909.00
(3) Television Education	134,615.00

For the fiscal year ending

September 30, 1965:

(1) For operation and maintenance ..	6,225,899.00
(2) Engineering Experiment Station ..	127,854.00
(3) Television Education	140,031.00

B. Extension Work for Agriculture and Home Economics:

For the fiscal year ending

September 30, 1964:

For advising, demonstrating and in- forming people of Alabama in agri- cultural, farm and home pursuits, and other extension services	1,729,126.00
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For Rural Resources Development
Program

150,000.00

For the fiscal year ending

September 30, 1965:

For advising, demonstrating and in- forming people of Alabama in agri- cultural, farm and home pursuits, and other extension services	1,798,693.00
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For Rural Resources Development
Program

150,000.00

The appropriation herein made for the Extension Service shall be expended under the direction of the Board of Trustees of Auburn University through its Extension Service and shall be done in such manner as to make available the maximum amounts of aid from the Federal government.

C. Agriculture Research:

For the fiscal year ending

September 30, 1964:

(1) Alabama Agricultural Experi- ment Station at Auburn for work and experimentation	1,124,610.00
(2) Co-operative research at the Agricultural and Experimental Substations	509,197.00

For the fiscal year ending

September 30, 1965:

(1) Alabama Agricultural Experi- ment Station at Auburn for work and experimentation	1,169,855.00
(2) Co-operative research at the Agricultural and Experimental Substations	529,700.00

That all research work and experimentation contemplated by the spirit and purpose of this sub-section (C) shall be carried out under the supervision of the Director of the Agricultural Experiment Station

System and the President of Auburn University, who shall make a complete report to the Board of Trustees of Auburn University for each of the fiscal years ending September 30, 1964 and September 30, 1965.

The funds provided in this sub-section (C) shall be used for the support of researches, experiments, and investigations bearing upon and relating to the production, marketing, manufacturing, use and distribution of agricultural crops and products; for the production, marketing and curing of all kinds of livestock and livestock products that may be sold from or consumed on the farms of Alabama; for the production, culture, and use of pasture plants, for the establishment, care, use and management of pastures; for the testing of all kinds of hay, food, and forage crops, including those that may be used for lawns and other sod crop purposes; for the testing of varieties of crops, including soil adaption and improvement; for the testing of fertilizers and fertilizer materials on the various soils and for various crops; for the production marketing, storage, and curing of fruit, nut and vegetable crops; for the study of plant and animal disease, and insect pests; for researches and experiments dealing with forest production, management and use; for researches dealing with soil erosion and problems arising from the waste of land due to soil erosion; for researches to discover new uses of land; for the provisions of necessary land, buildings, fencing, livestock and other physical equipment needed for the research work herein provided for; for researches in game and fish production; provided, however, that any researches in game and fish production shall be in cooperation with or upon the advice of the Director of Conservation, so that there may be complete coordination between the work of the Alabama Agricultural Experiment Station and that of the State Department of Conservation; as future changing agricultural conditions may demand, for research and experiments on other similar important agricultural and economic problems having for their object the development of a more permanent, profitable and diversified agriculture; and for the printing of the necessary bulletins, circulars, etc., in order that the citizens of Alabama may be acquainted with the results of said research.

**Section 11. BOARD OF CONTROL OF THE
TEACHERS' RETIREMENT SYSTEM:**

For the fiscal year ending September 30, 1964:	
For the Teachers' Retirement System and Special Pension Fund	8,276,800.00
For the fiscal year ending September 30, 1965:	
For the Teachers' Retirement System and Special Pension Fund	9,676,800.00

The above appropriations shall be expended in accordance with the statutes and regulations now or hereafter existing relating to the expenditure of such Teachers' Retirement Fund and Teachers' Special Fund.

**Section 12. BOARD OF TRUSTEES OF THE STATE
TRAINING SCHOOL FOR GIRLS:**

For the fiscal year ending September 30, 1964:	
For the operation and maintenance of the State Training School for Girls	209,282.00
For the fiscal year ending September 30, 1965:	
For the operation and maintenance of the State Training School for Girls	217,702.00

Section 13. BOARD OF TRUSTEES OF THE UNIVERSITY OF ALABAMA:

A. The University:

For the fiscal year ending

September 30, 1964:

(1) For operation and maintenance ..	6,449,993.00
(2) For School of Nursing	154,988.00
(3) For Tuberculosis Nursing (Education)	28,702.00
(4) For Research and Extension	344,419.00
(5) For State Scholarship Program for students in School of Nurs- ing under the provisions of Act. No. 591, Regular Session 1957	13,400.00

For the fiscal year ending

September 30, 1965:

(1) For operation and maintenance ..	6,709,113.00
(2) For School of Nursing	161,224.00
(3) For Tuberculosis Nursing (Education)	29,856.00
(4) For Research and Extension	358,276.00
(5) For State Scholarship Program for students in School of Nursing under the provisions of Act No. 591, Regular Session, 1957	13,400.00

B. The University of Alabama

Medical Center:

For the fiscal year ending

September 30, 1964:

(1) For the Medical College: For maintenance and operation ..	1,655,177.00
(2) For University Hospital: For the support of interns, resi- dents, operation of the Hos- pital School of Nursing and other technical schools and for indigent care	830,384.00
(3) For the School of Dentistry: For maintenance and operation ..	975,855.00

For the fiscal year ending

September 30, 1965:

(1) For the Medical College: For maintenance and operation ..	1,721,768.00
(2) For University Hospital: For the support of interns, resi- dents, operation of the Hos- pital School of Nursing and other technical schools and for indigent care	863,792.00
(3) For the School of Dentistry: For maintenance and operation ..	1,015,116.00

The above appropriations for the Alabama Medical Center shall be expended pursuant to the provisions of Act No. 89, 1943 Acts, page 89, and Act No. 207, Section 9, 1945 Acts, page 325.

Section 14. STATE TENURE COMMISSION:

For expense of operation	2,000.00
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**Section 15. SYLACAUGA NURSES
TRAINING SCHOOL:**

For the operation and maintenance of the Nurses Training School at Sylacauga	40,000.00
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Section 16. DEBT SERVICE:

- | | |
|---|------------|
| (1) For the payment of principal
and interest due on bonds is-
sued by Auburn University
(Alabama Polytechnic Insti-
tute) pursuant to Constitu-
tional Amendment No. CXX,
For the fiscal year ending
September 30, 1964 | 296,670.00 |
| For the fiscal year ending
September 30, 1965 | 296,376.25 |
| (2) For the payment of principal
and interest due on bonds is-
sued by the University of
Alabama pursuant to Consti-
tutional Amendment No. CXIX,
For the fiscal year ending
September 30, 1964 | 296,670.00 |
| For the fiscal year ending
September 30, 1965 | 296,376.25 |
| (3) For the payment of principal
and interest due on bonds is-
sued by the University of
Alabama Research Institute
pursuant to Constitutional
Amendment No. CLVII,
For the fiscal year ending
September 30, 1964 | 190,056.25 |
| For the fiscal year ending
September 30, 1965 | 189,681.25 |

**Section 17. NORTHWEST ALABAMA
JUNIOR COLLEGE:**

For the operation and maintenance of the Northwest Alabama Junior Col- lege, For the fiscal year ending September 30, 1964	175,786.00
For the fiscal year ending September 30, 1965	180,880.00

**Section 18. JUNIOR COLLEGES AND
TRADE SCHOOLS:**

For salaries, other expenses and equipment purchases incident to the establishment of the several Junior Colleges and Trade Schools au- thorized by Act No. 93, Second Special Session of 1963	300,000.00
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Section 19. SOCIAL SECURITY:

For State's share of Social Security,

For the fiscal year ending September 30, 1964, estimated	5,000,000.00
For the fiscal year ending September 30, 1965, estimated	5,250,000.00

Section 20. The State Superintendent of Education shall make requisition on the State Comptroller in favor of the proper beneficiary in accordance with the law and rules and regulations governing the expenditure or disbursement of any and all funds provided for in this Act, whereupon the Comptroller, upon the approval by the Governor, shall issue his warrant therefor; provided, that all appropriations and funds made available to the Alabama College, the University of Alabama, Auburn University, the Institute for the Deaf and Blind, the Boys' Industrial School, the Alabama Industrial School for Negroes, the State Training School for Girls, the Alabama Educational Television Commission and for the Teachers' Retirement System by the provisions of this Act shall be paid by request to the Comptroller made in the manner now provided by law.

Section 21. The provisions of this Act are severable. If any section, paragraph, sentence, clause, provision, or portion of this Act, or all or any portion of any appropriation or appropriations herein made, be held unconstitutional or invalid, such holding shall not affect any other section, paragraph, sentence, clause, provision, or portion of this Act, or any other appropriation or appropriations or portion thereof hereby made not in and of itself unconstitutional or invalid.

Section 22. This Act shall become effective October 1, 1963.

And the substitute was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Paulk
Albea	Cooper	Hannah	Pennington
Avery	Cornett	Harper	Perry
Bailes	Crawford	Hawkins	Pierce
Baker (DeKalb)	Daniel	Heflin	Posey
Baker (Madison)	Davis	Hester	Powell
Barnett	Doggett	Hogan	Pruitt
Bassett	Dominick	Holladay	Rast
Bethea (B)	Downing	Jones (Covington)	Reynolds
Blanton	Drake	Jones (Monroe)	Rogers
Bolton	Edington	Little	Salter
Boston	Edwards (Escambia)	McCorquodale	Scurlock
Bowers	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Slate
Brown (Jefferson)	Etheredge	Mashburn	Smith
Brown (Tuscaloosa)	Faulk	Meade	Steagall
Burnham	Fields	Meeks	Stembridge
Burns	Fite	Merrill	Teel
Callahan	Gilmore	Moore	Thomas
Campbell (Jackson)	Glass	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turner (Limestone)
Cantrell	Goodwyn	NeSmith	Turnham
Carr	Grouby	Nettles	Vacca
Casey	Hain	Owens	Young
Cates			

—97

On motion of Mr. Fite, the motion of Mr. Pruitt to postpone fur-

ther consideration of the bill, H. 357, as amended, until the twenty-second legislative day, was laid upon the table.

Yeas 49; Nays 48.

Yeas:

Mr. Speaker	Cook	Hankins	Posey
Avery	Cooper	Hannah	Powell
Baker (DeKalb)	Crawford	Harper	Reynolds
Baker (Madison)	Drake	Hawkins	Salter
Bassett	Edington	Heflin	Scurlock
Blanton	Edwards (Escambia)	Hester	Smith
Bolton	Engel	McCorquodale	Snell
Boston	Fields	McDermott	Steagall
Branyon	Fite	Martin	Stembridge
Burnham	Glass	Merrill	Turner (Crenshaw)
Burns	Grouby	Moore	Turnham
Camp	Hain	Paulk	Young
Cantrell			

—49

Nays:

Messrs.	Casey	Goodwyn	Nettles
Albea	Cates	Hogan	Pennington
Bailes	Collins	Holladay	Perry
Barnett	Cornett	Jones (Covington)	Pierce
Bethea (B)	Daniel	Jones (Monroe)	Pruitt
Bethea (M)	Davis	Little	Rast
Bowers	Doggett	Locke	Rogers
Brown (Jefferson)	Downing	Mashburn	Sessions
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Slate
Callahan	Etheredge	Meeks	Teel
Campbell (Jackson)	Gilmore	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Vacca
Carr			

—48

Mr. Locke offered the following amendment to the bill, H. 357, as amended:

AMENDMENT TO H. B. 357

Amend H. B. 357 more particularly Section 7 line 5 reading "For additions and betterments" and line 12 reading "for additions and betterments" by adding after each phrase the following:

"Said appropriation to be used to pay rents or for amortization of bonds issued pursuant to terms and purposes of H. B. 355 creating the Alabama Educational Television Building Authority. In the event the authority is not enacted into law or if enacted has not drawn upon this appropriation by January 1, 1964, then the Alabama Educational Television Commission is authorized to expend the appropriation for fiscal year ending September, 1964, or any portion remaining, for development of a station at Mobile, Huntsville and other stations, as the development program of the Alabama Educational Television Commission prescribes. In the event the appropriation for the fiscal year ending September, 1965 has not been drawn upon by January 1, 1965, for purposes and in accord with terms set out above in H. B. 355 creating the Alabama Educational Television Building Authority, then the Alabama Educational Television Commission may use the appropriation for the fiscal year ending September, 1965, or any portion not used to complete the Mobile, Hunts-

ville station and other stations in accord with the development program of the Alabama Educational Television Commission.

And the amendment was adopted.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Pierce
Bailes	Cornett	Heflin	Posey
Baker (DeKalb)	Crawford	Hester	Powell
Baker (Madison)	Daniel	Hogan	Pruitt
Barnett	Doggett	Holladay	Rast
Bassett	Dominick	Jones (Covington)	Reynolds
Bethea (B)	Downing	Little	Rogers
Bethea (M)	Drake	Locke	Salter
Blanton	Edington	McCorquodale	Scurlock
Bolton	Edwards (Escambia)	McDermott	Sessions
Boston	Edwards (Lowndes)	Martin	Slate
Bowers	Engel	Mashburn	Smith
Brown (Jefferson)	Etheredge	Meade	Snell
Brown (Tuscaloosa)	Faulk	Meeks	Steagall
Burnham	Fite	Merrill	Stembridge
Callahan	Gilmore	Moore	Teel
Camp	Glass	Morrow	Thomas
Campbell (Jackson)	Goldthwaite	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turner (Limestone)
Cantrell	Grouby	Nettles	Turnham
Carr	Hain	Owens	Vacca
Casey	Hankins	Paulk	Young
Cates			

—97

And said bill, H. 357, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 3.

Yeas:

Mr. Speaker	Callahan	Edington	Hester
Albea	Camp	Edwards (Escambia)	Hogan
Avery	Campbell (Jackson)	Edwards (Lowndes)	Holladay
Bailes	Campbell (Tuscaloosa)	Engel	Jones (Covington)
Baker (DeKalb)	Cantrell	Etheredge	Jones (Monroe)
Baker (Madison)	Carr	Faulk	Little
Barnett	Casey	Fields	Locke
Bassett	Cates	Fite	McCorquodale
Bethea (B)	Collins	Gilmore	McDermott
Bethea (M)	Cook	Glass	Martin
Blanton	Cooper	Goldthwaite	Mashburn
Bolton	Cornett	Goodwyn	Meade
Boston	Crawford	Grouby	Meeks
Bowers	Daniel	Hain	Merrill
Branyon	Davis	Hankins	Moore
Brown (Jefferson)	Doggett	Hannah	Nabors
Brown (Tuscaloosa)	Dominick	Harper	NeSmith
Burnham	Downing	Hawkins	Nettles
Burns	Drake	Heflin	Owens

Paulk	Reynolds	Smith	Turner (Crenshaw)
Pierce	Rogers	Snell	Turner (Limestone)
Posey	Salter	Steagall	Turnham
Powell	Scurlock	Stembridge	Vacca
Pruitt	Sessions	Teel	Young
Rast	Slate	Thomas	

—99

Nays:

Messrs.	Morrow	Pennington	Perry
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—3

And the bill:

H. 358. To make an appropriation to the State Superintendent of Education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction of Alabama residents in engineering, veterinary medicine, nursing, home economics and agriculture.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 2.

Yeas:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Avery	Cooper	Harper	Pierce
Bailes	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hester	Powell
Baker (Madison)	Davis	Hogan	Pruitt
Bassett	Doggett	Holladay	Rast
Bethea (B)	Dominick	Jones (Covington)	Reynolds
Bethea (M)	Downing	Jones (Monroe)	Rogers
Blanton	Drake	Little	Salter
Bolton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Snell
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Teel
Burns	Fite	Merrill	Thomas
Callahan	Gilmore	Moore	Turner (Crenshaw)
Camp	Glass	Morrow	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Owens	Young
Casey	Hain	Paulk	

—95

Nays:

Messrs.	Barnett	Nettles
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—2

And the bill:

H. 359. To make appropriation for the support and maintenance of the Southern Industrial Institute.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 95; Nays 1.

Yeas:

Mr. Speaker	Cates	Hain	Pennington
Albea	Collins	Hankins	Perry
Avery	Cook	Hannah	Pierce
Bailes	Cooper	Harper	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Jones (Covington)	Rogers
Bethea (M)	Dominick	Jones (Monroe)	Salter
Bolton	Downing	Little	Scurlock
Boston	Drake	Locke	Sessions
Bowers	Edington	McCorquodale	Slate
Branyon	Edwards (Escambia)	McDermott	Smith
Brown (Jefferson)	Engel	Meade	Snell
Brown (Tuscaloosa)	Faulk	Meeks	Steagall
Burnham	Fields	Merrill	Stembridge
Burns	Fite	Moore	Teel
Camp	Gilmore	Morrow	Thomas
Campbell (Jackson)	Glass	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Turner (Limestone)
Cantrell	Goodwyn	Owens	Turnham
Carr	Grouby	Paulk	Vacca
Casey			

—93

Nay:

Mr. Mashburn

—1

And the bill:

H. 360. To make an appropriation for the support and maintenance of the Walker County Junior College, located at Jasper, in Walker County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Boston	Cantrell	Dominick
Albea	Bowers	Carr	Downing
Avery	Branyon	Casey	Drake
Bailes	Brown (Jefferson)	Cates	Edington
Baker (DeKalb)	Brown (Tuscaloosa)	Collins	Edwards (Escambia)
Baker (Madison)	Burnham	Cook	Edwards (Lowndes)
Barnett	Burns	Cooper	Engel
Bassett	Callahan	Crawford	Etheredge
Bethea (B)	Camp	Daniel	Faulk
Bethea (M)	Campbell (Jackson)	Davis	Fields
Bolton	Campbell (Tuscaloosa)	Doggett	Fite

Gilmore	Jones (Covington)	NeSmith	Scurlock
Glass	Jones (Monroe)	Nettles	Sessions
Goodwyn	Little	Owens	Smith
Grouby	Locke	Paulk	Snell
Hain	McCorquodale	Pennington	Steagall
Hankins	McDermott	Perry	Stembridge
Hannah	Mashburn	Pierce	Teel
Harper	Meade	Posey	Thomas
Hawkins	Meeks	Powell	Turner (Crenshaw)
Heflin	Merrill	Pruitt	Turner (Limestone)
Hester	Moore	Reynolds	Turnham
Hogan	Morrow	Rogers	Vacca
Holladay	Nabors	Salter	

—95

And the bill:

H. 361. To make appropriations from the state treasury for support and maintenance of the Marion Institute, located in Perry County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 98; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Pennington
Avery	Collins	Harper	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Jones (Covington)	Reynolds
Bethea (M)	Doggett	Jones (Monroe)	Rogers
Blanton	Downing	Little	Salter
Bolton	Drake	Locke	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Slate
Branyon	Edwards (Lowndes)	Mashburn	Smith
Brown (Jefferson)	Engel	Meade	Snell
Brown (Tuscaloosa)	Faulk	Meeks	Steagall
Burnham	Fields	Merrill	Stembridge
Burns	Fite	Moore	Teel
Callahan	Gilmore	Morrow	Thomas
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goldthwaite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Vacca
Carr	Hain		

—98

And the bill:

H. 362. To make an appropriation for the support and maintenance of the Alabama Vocational School for Girls.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Paulk
Albea	Casey	Harper	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cook	Heflin	Pierce
Baker (DeKalb)	Cooper	Hester	Posey
Baker (Madison)	Cornett	Hogan	Powell
Barnett	Crawford	Holladay	Pruitt
Bassett	Daniel	Jones (Covington)	Rast
Bethea (B)	Davis	Jones (Monroe)	Reynolds
Bethea (M)	Doggett	Little	Rogers
Blanton	Dominick	Locke	Salter
Bolton	Downing	McCorquodale	Scurlock
Boston	Drake	McDermott	Sessions
Bowers	Edington	Mashburn	Slate
Branyon	Edwards (Escambia)	Meade	Snell
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Steagall
Brown (Tuscaloosa)	Engel	Merrill	Stembridge
Burnham	Etheredge	Moore	Teel
Burns	Faulk	Morrow	Thomas
Callahan	Fields	Nabors	Turner (Crenshaw)
Camp	Fite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Gilmore	Nettles	Turnham
Campbell (Tuscaloosa)	Goodwyn	Owens	Vacca
Cantrell	Hain		

—99

UNANIMOUS CONSENT GRANTED

Mr. Bailes requested unanimous consent to add his name as co-author of the bill, H. 361, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 523. To make appropriations for operation, support and maintenance of the University of South Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 1.

Yeas:

Mr. Speaker	Burnham	Edwards (Escambia)	Jones (Covington)
Albea	Burns	Edwards (Lowndes)	Jones (Monroe)
Avery	Camp	Engel	Little
Bailes	Cantrell	Faulk	Locke
Baker (DeKalb)	Carr	Fields	McCorquodale
Baker (Madison)	Casey	Fite	McDermott
Barnett	Cates	Gilmore	Martin
Bassett	Collins	Glass	Mashburn
Bethea (B)	Cooper	Goldthwaite	Meade
Bethea (M)	Cornett	Grouby	Merrill
Blanton	Daniel	Hain	Morrow
Bolton	Davis	Hankins	Nabors
Bowers	Doggett	Harper	NeSmith
Branyon	Downing	Hawkins	Nettles
Brown (Jefferson)	Drake	Hester	Owens
Brown (Tuscaloosa)	Edington	Hogan	Paulk

Pennington	Rast	Slate	Thomas
Perry	Reynolds	Smith	Turner (Crosshaw)
Pierce	Rogers	Steagall	Turner (Limestone)
Posey	Salter	Stembridge	Turnham
Powell	Scurlock	Teel	Vacca
Pruitt	Sessions		

—87

Nay:

Mr. Etheredge

—1

RESOLUTIONS

The following resolutions were introduced:

By Messrs. McDermott, Edington, Engel, Rogers, Smith, Downing, Hogan and Fields:

H. J. R. 82. WHEREAS, the Honorable Vernol R. Jansen, Sr., has been summoned to his eternal reward by his Creator, having ably and faithfully served on earth the purpose of his creation, and

WHEREAS, during his life he had devoted his energies and abilities to the unselfish service of his fellow man, and

WHEREAS, the Honorable Vernol R. Jansen, Sr., gave unstintingly of his time and efforts to the people of this community in whatever manner he deemed that he could be of service, and

WHEREAS, he was a military veteran of World War I, having enlisted in the First Alabama Cavalry in 1917 and served in France until January of 1919, and

WHEREAS, he was graduate of Marion Institute and the University of Alabama and had been admitted to the practice of law in the State of Alabama for over forty years, having served as President of the Mobile Bar Association in 1940, and

WHEREAS, throughout his life he was a devoted civic worker, having served as President of the Mobile Chapter, American Red Cross and Commander of the American Legion post in Mobile, and was founder of the national program of the American Legion known as Boys State, and

WHEREAS, during his professional career he held many important public positions, including that of County Attorney for Mobile County, and

WHEREAS, at the time of his death he was serving his seventh year as Judge of Probate of Mobile County, having been twice elected to that position, and

WHEREAS, as Judge of Probate, he was known for his scholarly and diligent approach to the law, the profession which he loved so well, and was respected for the honesty, impartiality and efficiency with which he conducted that office, and

WHEREAS, the Honorable Vernol R. Jansen, Sr., was held in the highest esteem by the people of this State, lawyers and laymen alike, as being a man of unimpeachable character, imbued with love of his country and a true patriot, and

WHEREAS, his passing is deeply mourned by persons in all walks of life and by the members of the Legislature, now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING:

That the members of the Legislature do hereby express their deep regret at the passing of the Honorable Vernol R. Jansen, Sr. and extend their sincere sympathy to the surviving members of his family.

BE IT FURTHER RESOLVED that in grateful appreciation of his service to his State, his nation and his fellow man, this Resolution be spread upon the pages of the Journal and that a copy hereof be sent forth-with to his family.

On motion of Mr. McDermott the rules were suspended and H.J.R. 82 was adopted.

Also:

By Mr. Fite:

H. J. R. 83. WHEREAS, it is the intent of the Legislature of Alabama that school bus drivers receive an approximate ten percent (10%) increase in salary,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that school bus drivers receive an approximate ten percent (10%) increase in salary beginning with the fiscal year 1963-64.

On motion of Mr. Fite the rules were suspended and H.J.R. 83 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 80. Relative to the adjournment of the two Houses to meet again on July 9, 1963.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the House non-concurred in the Senate substitute for the resolution, H.J.R. 80, said Senate substitute being as follows:

Substitute for H.J.R. 80

Be it resolved by the House the Senate concurring That on adjournment the two houses convene again on Tuesday, July 9 and that for the period from June 29th to July 8 both dates inclusive the members of the Legislature serve without Legislative pay and allowances.

RECESS

On motion of Mr. Teel the House recessed until 3:00 o'clock this afternoon.

AFTERNOON SESSION

The hour of 3:00 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker.

Your Standing Committee on Rules begs leave to report that said committee, in session, has compared the following engrossed bill with the original bill and finds same correctly engrossed, to-wit:

H. 494. Relating to contractors bidding on highway work submitting a check or bid bond with their bid as a proposal guaranty.

ALBERT P. BREWER,
Chairman.

The above and foregoing report of the Standing Committee on Rules was concurred in and adopted.

SUPREME COURT ADVISORY OPINION
July 9, 1963

THE STATE OF ALABAMA JUDICIAL DEPARTMENT
THE SUPREME COURT OF ALABAMA
SPECIAL TERM 1963

STATE OF ALABAMA)
CITY AND COUNTY OF MONTGOMERY)

I, J. Render Thomas, Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to five, inclusive, contain a full, true and correct copy of the Opinion of the Justices of the Supreme Court of Alabama rendered on July 9, 1963, in response and answer to request of the House of Representatives of Alabama for an advisory opinion on constitutional questions with respect to House Bill No. 526, now pending in the Legislature of Alabama.

WITNESS, J. Render Thomas, Clerk
of the Supreme Court of Alabama, this
the 9th day of July, 1963.

J. RENDER THOMAS
Clerk of the Supreme Court of Alabama

SUPREME COURT ADVISORY OPINION

Received, read and ordered filed.

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Smith to reconsider the vote by which further consideration of the bill, H. 568, was postponed until the twenty-second legislative day, was adopted.

Yeas 48; Nays 34.

Yeas:

Mr. Speaker	Doggett	Hogan	Rogers
Baker (Madison)	Downing	Jones (Covington)	Salter
Bassett	Edwards (Escambia)	Jones (Monroe)	Scurlock
Boston	Edwards (Lowndes)	Meade	Smith
Callahan	Engel	Merrill	Snell
Cantrell	Faulk	Moore	Steagall
Cates	Fields	Nabors	Stembridge
Cook	Fite	Nettles	Thomas
Cooper	Goodwyn	Owens	Turner (Crenshaw)
Crawford	Grouby	Paulk	Turnham
Daniel	Hannah	Powell	Wood
Davis	Heflin	Reynolds	Young

—48

Nays:

Messrs.	Branyon	Etheredge	NeSmith
Avery	Brown (Jefferson)	Gilmore	Pennington
Bailes	Burnham	Goldthwaite	Perry
Baker (DeKalb)	Campbell (Tuscaloosa)	Hain	Rast
Bethea (B)	Carr	Holladay	Sessions
Bethea (M)	Casey	Locke	Teel
Blanton	Collins	Mashburn	Turner (Limestone)
Bolton	Cornett	Meeks	Vacca
Bowers	Dominick	Morrow	

—34

FURTHER CONSIDERATION OF H. 568

And the bill:

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was taken up.

The motion of Mr. Dominick to indefinitely postpone the bill, H. 568, was lost.

Yeas 25; Nays 60.

Yeas:

Messrs.	Camp	Goldthwaite	Perry
Avery	Casey	Mashburn	Rast
Bailes	Collins	Meeks	Sessions
Bethea (M)	Cornett	Morrow	Teel
Bolton	Dominick	NeSmith	Turner (Limestone)
Bowers	Etheredge	Pennington	Vacca
Burnham	Gilmore		

—25

Nays:

Mr. Speaker	Daniel	Heflin	Paulk
Baker (DeKalb)	Doggett	Hogan	Powell
Baker (Madison)	Downing	Holladay	Reynolds
Bassett	Edwards (Escambia)	Jones (Covington)	Rogers
Blanton	Edwards (Lowndes)	Jones (Monroe)	Salter
Boston	Engel	Locke	Scurlock
Brown (Jefferson)	Faulk	McCorquodale	Smith
Burns	Fields	McDermott	Snell
Callahan	Fite	Martin	Steagall
Campbell (Jackson)	Glass	Meade	Stembridge
Cantrell	Goodwyn	Merrill	Thomas
Cates	Grouby	Moore	Turner (Crenshaw)
Cook	Hannah	Nabors	Turnham
Cooper	Harper	Nettles	Wood
Crawford	Hawkins	Owens	Young

—60

On motion of Mr. Fite, the motion of Mr. Dominick to postpone further consideration of the bill, H. 568, until the twenty-fifth legislative day, was laid upon the table.

Yeas 53; Nays 33.

Yeas:

Mr. Speaker	Downing	Hogan	Reynolds
Baker (DeKalb)	Edwards (Escambia)	Jones (Monroe)	Rogers
Baker (Madison)	Edwards (Lowndes)	McCorquodale	Salter
Bassett	Engel	McDermott	Scurlock
Blanton	Faulk	Martin	Smith
Boston	Fields	Meade	Snell
Callahan	Fite	Merrill	Steagall
Cantrell	Glass	Moore	Stembridge
Cates	Goodwyn	Nabors	Thomas
Cook	Grouby	Nettles	Turner (Crenshaw)
Cooper	Hannah	Owens	Turnham
Crawford	Hawkins	Paulk	Wood
Daniel	Heflin	Powell	Young
Doggett			

—53

Nays:

Messrs.	Campbell (Tuscaloosa)	Harper	NeSmith
Avery	Carr	Holladay	Pennington
Bailes	Casey	Jones (Covington)	Perry
Bethea (M)	Collins	Little	Rast
Bowers	Cornett	Locke	Sessions
Brown (Jefferson)	Etheredge	Mashburn	Teel
Burnham	Gilmore	Meeks	Turner (Limestone)
Camp	Goldthwaite	Morrow	Vacca
Campbell (Jackson)	Hain		

—33

On motion of Mr. Fite, the motion of Mr. Dominick to postpone further consideration of the bill, H. 568, until the next legislative day, was laid upon the table.

Yeas 53; Nays 39.

Yeas:

Mr. Speaker	Doggett	Heflin	Reynolds
Baker (DeKalb)	Downing	Hogan	Rogers
Baker (Madison)	Edington	Jones (Monroe)	Salter
Bassett	Edwards (Escambia)	McCorquodale	Scurlock
Blanton	Engel	McDermott	Smith
Boston	Faulk	Martin	Snell
Burns	Fields	Merrill	Steagall
Callahan	Fite	Moore	Stembridge
Cantrell	Glass	Nabors	Thomas
Cates	Goodwyn	Nettles	Turner (Crenshaw)
Cook	Grouby	Owens	Turnham
Cooper	Hannah	Paulk	Wood
Crawford	Harper	Powell	Young
Daniel			

—53

Nays:

Messrs.	Camp	Goldthwaite	Morrow
Avery	Campbell (Jackson)	Hain	NeSmith
Bailes	Campbell (Tuscaloosa)	Hawkins	Pennington
Bethea (B)	Carr	Holladay	Perry
Bethea (M)	Casey	Jones (Covington)	Pierce
Bolton	Collins	Little	Rast
Bowers	Cornett	Locke	Sessions
Branyon	Edwards (Lowndes)	Mashburn	Teel
Brown (Jefferson)	Etheredge	Meade	Turner (Limestone)
Burnham	Gilmore	Meeks	Vacca

—39

On motion of Mr. Fite, the motion of Mr. Bolton to postpone further consideration of the bill, H. 568, until the twenty-second legislative day, was laid upon the table.

*Yeas 51; Nays 38.**Yeas:*

Mr. Speaker	Daniel	Hawkins	Reynolds
Baker (DeKalb)	Doggett	Heflin	Rogers
Baker (Madison)	Downing	Hogan	Salter
Bassett	Edington	Jones (Monroe)	Smith
Blanton	Edwards (Escambia)	McCorquodale	Snell
Boston	Engel	McDermott	Steagall
Burns	Faulk	Martin	Stembridge
Callahan	Fields	Merrill	Thomas
Cantrell	Fite	Moore	Turner (Crenshaw)
Cates	Glass	Nabors	Turnham
Cook	Grouby	Nettles	Wood
Cooper	Hannah	Owens	Young
Crawford	Harper	Paulk	

—51

Nays:

Messrs.	Bowers	Campbell (Tuscaloosa)	Edwards (Lowndes)
Avery	Branyon	Carr	Etheredge
Bailes	Brown (Jefferson)	Casey	Gilmore
Bethea (B)	Burnham	Collins	Goldthwaite
Bethea (M)	Camp	Cornett	Hain
Bolton	Campbell (Jackson)	Dominick	Holladay

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Jones (Covington)	Meeks	Perry	Teel
Little	Morrow	Powell	Turner (Limestone)
Locke	NeSmith	Rast	Vacca
Mashburn	Pennington	Sessions	

—38

On motion of Mr. Fite, the motion of Mr. Holladay to postpone further consideration of the bill, H. 568, until the twenty-third legislative day, was laid upon the table.

Yeas 47; Nays 41.

Yeas:

Mr. Speaker	Daniel	Heflin	Paulk
Baker (Madison)	Doggett	Hogan	Reynolds
Bassett	Downing	Jones (Monroe)	Rogers
Blanton	Edwards (Escambia)	McCorquodale	Salter
Boston	Engel	McDermott	Smith
Burns	Faulk	Martin	Snell
Callahan	Fields	Meade	Steagall
Cantrell	Fite	Merrill	Stembridge
Cates	Glass	Moore	Thomas
Cook	Goodwyn	Nabors	Turner (Crenshaw)
Cooper	Grouby	Nettles	Young
Crawford	Hannah	Owens	

—47

Nays:

Messrs.	Camp	Hain	Pennington
Avery	Campbell (Jackson)	Hawkins	Perry
Bailes	Campbell (Yuscaloosa)	Holladay	Pierce
Baker (DeKalb)	Carr	Jones (Covington)	Powell
Bethea (B)	Casey	Little	Pruitt
Bethea (M)	Collins	Locke	Rast
Bolton	Cornett	Mashburn	Sessions
Bowers	Edwards (Lowndes)	Meeks	Teel
Branyon	Etheredge	Morrow	Turner (Limestone)
Brown (Jefferson)	Gilmore	NeSmith	Vacca
Burnham	Goldthwaite		

—41

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Friday, July 12, 1963, at ten o'clock A.M. was lost.

Yeas 42; Nays 49.

Yeas:

Messrs.	Campbell (Jackson)	Hawkins	Perry
Avery	Casey	Holladay	Pierce
Bailes	Collins	Jones (Covington)	Powell
Bethea (B)	Cooper	Little	Pruitt
Bethea (M)	Cornett	Locke	Rast
Bolton	Dominick	Mashburn	Sessions
Branyon	Edwards (Lowndes)	Meeks	Slate
Brown (Jefferson)	Etheredge	Morrow	Teel
Burnham	Gilmore	NeSmith	Turner (Limestone)
Callahan	Goldthwaite	Paulk	Vacca
Camp	Hain	Pennington	

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Nays:

Mr. Speaker	Daniel	Hannah	Nettles
Baker (DeKalb)	Doggett	Harper	Owens
Baker (Madison)	Downing	Heflin	Rogers
Bassett	Edgington	Hogan	Salter
Blanton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Boston	Engel	McCorquodale	Smith
Bowers	Faulk	McDermott	Snell
Burns	Fields	Martin	Steagall
Cantrell	Fite	Meade	Thomas
Carr	Glass	Merrill	Turner (Crenshaw)
Cates	Goodwyn	Moore	Wood
Cook	Grouby	Nabors	Young
Crawford			

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FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

On motion of Mr. Fite, the motion of Mr. Campbell (Tuscaloosa) to postpone further consideration of the bill, H. 568, until the twenty-sixth legislative day, was laid upon the table.

Yeas 49; Nays 41.

Yeas:

Mr. Speaker	Daniel	Heflin	Paulk
Baker (DeKalb)	Doggett	Hogan	Reynolds
Baker (Madison)	Downing	Jones (Monroe)	Rogers
Bassett	Edgington	McCorquodale	Salter
Blanton	Edwards (Escambia)	McDermott	Smith
Boston	Engel	Martin	Snell
Burns	Faulk	Meade	Steagall
Callahan	Fields	Merrill	Thomas
Cantrell	Fite	Moore	Turner (Crenshaw)
Cates	Glass	Nabors	Turnham
Cook	Grouby	Nettles	Wood
Cooper	Hannah	Owens	Young
Crawford			

—49

Nays:

Messrs.	Camp	Goldthwaite	NeSmith
Avery	Campbell (Jackson)	Hain	Pennington
Bailes	Campbell (Tuscaloosa)	Hawkins	Perry
Bethea (B)	Carr	Holladay	Powell
Bethea (M)	Casey	Jones (Covington)	Pruitt
Bolton	Collins	Little	Rast
Bowers	Cornett	Locke	Sessions
Branyon	Dominick	Mashburn	Teel
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Turner (Limestone)
Brown (Tuscaloosa)	Etheredge	Morrow	Vacca
Burnham	Gilmore		

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REGULAR SESSION

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On motion of Mr. Fite, the motion of Mr. Collins to postpone further consideration of the bill, H. 568, until the twenty-fourth legislative day, was laid upon the table.

Yeas 47; Nays 45.

Yeas:

Mr. Speaker	Doggett	Heflin	Rogers
Baker (DeKalb)	Downing	Hogan	Salter
Baker (Madison)	Edington	Jones (Monroe)	Smith
Bassett	Edwards (Escambia)	McCorquodale	Snell
Burns	Engel	McDermott	Steagall
Callahan	Faulk	Martin	Stembridge
Cantrell	Fields	Meade	Thomas
Cates	Fite	Merrill	Turner (Greshaw)
Cook	Glass	Moore	Turnham
Cooper	Grouby	Nabors	Wood
Crawford	Hannah	Nettles	Young
Daniel	Hawkins	Owens	

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Nays:

Messrs.	Burnham	Goldthwaite	Paulk
Avery	Camp	Hain	Pennington
Bailes	Campbell (Jackson)	Harper	Perry
Bethea (B)	Campbell (Tuscaloosa)	Holladay	Pierce
Bethea (M)	Carr	Jones (Covington)	Powell
Blanton	Casey	Little	Fruitt
Bolton	Collins	Locke	Rast
Boston	Cornett	Mashburn	Sessions
Bowers	Dominick	Meeks	Teel
Branyon	Edwards (Lowndes)	Morrow	Turner (Limestone)
Brown (Jefferson)	Etheredge	NeSmith	Vacca
Brown (Tuscaloosa)	Gilmore		

—45

On motion of Mr. Fite, the motion of Mr. Teel to postpone further consideration of the bill, H. 568, until the twenty-ninth legislative day, was laid upon the table.

Yeas 47; Nays 43.

Yeas:

Mr. Speaker	Doggett	Heflin	Rogers
Baker (DeKalb)	Downing	Hogan	Salter
Baker (Madison)	Edington	Jones (Monroe)	Scurlock
Bassett	Edwards (Escambia)	McCorquodale	Smith
Burns	Engel	McDermott	Snell
Cantrell	Fields	Martin	Steagall
Cates	Fite	Meade	Thomas
Cook	Glass	Merrill	Turner (Greshaw)
Cooper	Goodwyn	Moore	Turnham
Crawford	Grouby	Nabors	Wood
Daniel	Hannah	Nettles	Young
Davis	Hawkins	Owens	

—47

Nays:

Messrs.	Avery	Bailes	Bethea (B)
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Bethea (M)	Campbell (Jackson)	Hain	Perry
Blanton	Campbell (Tuscaloosa)	Holladay	Pierce
Bolton	Carr	Jones (Covington)	Powell
Boston	Casey	Little	Pruitt
Bowers	Collins	Mashburn	Rast
Branyon	Cornett	Meeks	Sessions
Brown (Jefferson)	Dominick	Morrow	Stembridge
Brown (Tuscaloosa)	Etheredge	NeSmith	Teel
Burnham	Gilmore	Paulk	Turner (Limestone)
Camp	Goldthwaite	Pennington	Vacca

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ADJOURNMENT

On motion of Mr. Collins the House adjourned until Friday, July 12, 1963, at ten o'clock A.M.

Yeas 51; Nays 42.

Yeas:

Messrs.	Camp	Goldthwaite	NeSmith
Avery	Campbell (Jackson)	Hain	Pennington
Bailes	Campbell (Tuscaloosa)	Harper	Perry
Bethea (B)	Carr	Hawkins	Pierce
Bethea (M)	Casey	Holladay	Powell
Blanton	Collins	Jones (Covington)	Pruitt
Bolton	Cock	Little	Rast
Bowers	Cooper	Locke	Salter
Branyon	Cornett	Martin	Sessions
Brown (Jefferson)	Dominick	Mashburn	Slate
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Teel
Burnham	Etheredge	Meeks	Turner (Limestone)
Callahan	Gilmore	Morrow	Vacca

—51

Nays:

Mr. Speaker	Doggett	Heflin	Scurlock
Baker (DeKalb)	Edington	Hogan	Smith
Baker (Madison)	Edwards (Escambia)	Jones (Monroe)	Snell
Bassett	Engel	McCorquodale	Steagall
Boston	Faulk	Merrill	Stembridge
Burns	Fields	Moore	Thomas
Cantrell	Fite	Nabors	Turner (Crenshaw)
Cates	Glass	Nettles	Turnham
Crawford	Goodwyn	Paulk	Wood
Daniel	Gronby	Rogers	Young
Davis	Hannah		

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 TWENTY-FIRST DAY

House of Representatives
Montgomery, Alabama
Friday, July 12, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Honorable Gus Young, member of the House of Representatives, Randolph County, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hannah	Paulk
Albea	Collins	Harper	Perry
Avery	Cook	Hawkins	Pierce
Bailes	Cooper	Heflin	Posey
Baker (DeKalb)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Blanton	Dominick	Jones (Monroe)	Scurlock
Bolton	Downing	Little	Sessions
Boston	Drake	Locke	Slate
Bowers	Edwards (Escambia)	McCorquodale	Smith
Branyon	Edwards (Lowndes)	McDermott	Snell
Brown (Jefferson)	Engel	Martin	Steagall
Brown (Tuscaloosa)	Etheredge	Mashburn	Stembridge
Burnham	Faulk	Meade	Teel
Burns	Fields	Meeks	Thomas
Callahan	Fite	Merrill	Turner (Crenshaw)
Camp	Gilmore	Moore	Turner (Limestone)
Campbell (Jackson)	Glass	Morrow	Turnham
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Vacca
Cantrell	Goodwyn	NeSmith	Wood
Carr	Grouby	Nettles	Young
Casey	Hain	Owens	

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A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Callahan leave of absence was granted to Mr. Sullivan because of personal illness.

RESOLUTION

The following resolution was introduced:

By Messrs. Turner (Crenshaw), Etheredge, Bethea (B), Bailes, Bowers, Rast, Locke, Meeks, Bethea (M), Brown (Jefferson), Vacca, Gilmore, Sessions, Dominick, Hawkins, Collins, Perry and Morrow:

H. J. R. 84. WHEREAS, MAJOR GENERAL WALTER J. (Crack) HANNA, 0171549 is retiring as an active member of the Alabama National Guard on 31 December 1963, and

WHEREAS, General Hanna is now attending his last summer encampment as an active member of the Alabama National Guard and as Commander of Non-Divisional Units, Alabama National Guard, and

WHEREAS, General Hanna enlisted in the Alabama National Guard in 1919, was commissioned a Second Lieutenant in September 1922, promoted to First Lieutenant in April 1926, to Captain in January 1927 and served for thirteen years as Rifle Company Commander until he was promoted to Major in July 1940, he was promoted to Lieutenant Colonel, Infantry as Battalion Commander in January 1942 and to Colonel as Regimental Commander on 8 December 1942, and,

WHEREAS, General Hanna served on active duty with the 31st Infantry (Dixie) Division from 1940 to January 1944, and with the Division in the Southwest Pacific and Asiatic theatre until September 1945 and served on active duty until November 1946, and,

WHEREAS, General Hanna in December 1946 reorganized the 167th Infantry Regiment 31st Infantry Division, Alabama National Guard and served as Regimental Commander and in July 1948 was promoted to Brigadier General and assigned as Assistant Division Commander, and on 16 January 1951 was appointed Adjutant General of the State of Alabama and also entered active duty being relieved from active duty on 1 June 1951 to assume duty as Adjutant General, and,

WHEREAS, General Hanna has received numerous military decorations including the Silver Star, Legion of Merit, Bronze Star Medal, Air Medal and Distinguished Service Medal of Alabama, and,

WHEREAS, General Hanna's only son is an officer in the Alabama National Guard, and,

WHEREAS, General Hanna has distinguished himself as a businessman and manufacturer and in the civic affairs of his city, county and state, and,

WHEREAS, General Hanna was National Guard Commander in charge of all law enforcement activities in the Phenix City Cleanup in 1954, and brought order out of turmoil in that troubled area, and,

WHEREAS, General Hanna is known far and wide as "Mister Alabama National Guard," and is largely responsible for the present high standing of the Alabama National Guard, and,

WHEREAS, General "Crack" Hanna is held in the highest of esteem, both as a soldier and as a man, by the officers and men of the Alabama National Guard, and by all others who know him, and,

WHEREAS, General Hanna by his fidelity to the Alabama National Guard and to his State and Nation has reflected great credit on himself, this State and the Alabama National Guard;

NOW THEREFORE BE IT RESOLVED, by the Legislature of Alabama, both Houses concurring, that General Walter J. (Crack) Hanna is hereby commended for his exceptionally meritorious and distinguished service to this Nation, this State, and the Alabama National Guard, and,

BE IT FURTHER RESOLVED, that the Legislature of Alabama hereby recommends to His Excellency, Honorable George C. Wallace, Governor of the State of Alabama, that he appoint and commission General Hanna as a Lieutenant General in the Militia of the State of Alabama, and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Governor of Alabama, the Adjutant General of Alabama, and to General Hanna.

On motion of Mr. Turner (Crenshaw) the rules were suspended and H.J.R. 84 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Adams, Allen, Bentley, Brannan, Carter, Clark, Cooper, Dumas, Eddins, Evans, Gilchrist, Givhan, Hammond, Hawkins, Hornsby, Horton, James, Lolley, Lowe, Mathews, McCain, McDow, Metcalf, Montgomery, Nichols, Oden, Reynolds, Roberts, Robison (Montgomery), Robison (Pickens), Shelton, Smith, Taylor, Tyson, Wilson, and Honorable James B. Allen, Lieutenant Governor:

S. J. R. 29. WHEREAS the Honorable Jesse Earl Speight beloved veteran secretary of the Senate passed away this morning at his home here in Montgomery; and

WHEREAS Mr. Speight first came to Montgomery as a clerk in the office of the Secretary of the Senate in 1915, was elected Secretary of the Senate in 1923, and reelected at each subsequent session until 1955 after which time he held the position on a tenure basis, making him the holder of the longest record of service; and

WHEREAS Mr. Speight by his efficiency and many kindnesses endeared himself to all members of the Legislature who will long remember him with much affection; now therefore

RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That we extend deepest sympathy to Mrs. Speight and the bereaved family of the deceased for their great loss. We mourn the passing of a dear friend and direct that a page of the journal of each house be set aside in his memory and in appreciation of the splendid services rendered by him over the years.

RESOLVED FURTHER, That the members of the Senate shall attend the funeral and burial services in a body; and that a Senate committee shall be appointed to arrange appropriate memorial services for a later day.

RESOLVED ALSO, That the Senate do now adjourn in respect for our departed associate.

NELL W. RUFFER,
Assistant Secretary.

SENATE MESSAGE

On motion of Messrs. Fite, Turner (Crenshaw), Jones (Monroe) and Cantrell the rules were suspended and the House unanimously concurred in and adopted the S.J.R. 29 set out in the above and foregoing Message from the Senate.

JOINT SESSION

The hour of 10:30 o'clock A.M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in joint session in the Hall of the House of Representatives, in accordance with House Joint Resolution No. 68 heretofore adopted, for the purpose of hearing an address by the Honorable Mary D. Cain, owner and editor of The Summit Sun, of Summit, Mississippi.

The joint session was called to order by Honorable James B. Allen, Lieutenant Governor and Presiding Officer of the Senate.

Mrs. Cain was escorted to the Chair and introduced by the Honorable George C. Wallace, Governor of the State of Alabama. Thereupon Mrs. Cain delivered her address to the Legislature of Alabama.

The Lieutenant Governor and Presiding Officer of the Senate announced that the purpose of the joint session having been accomplished the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning House Bill 134, without the Governor's approval.

Respectfully submitted,

EARL C. MORGAN,
Executive Secretary.

JULY 12, 1963

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, House Bill 134, without my signature and approval.

This Bill places all individuals now employed in road and bridge work in Cherokee County by the State Highway Department on a basis of an 8 hour day and a 40 hour week. This Bill prescribes overtime pay at the usual rate for all overtime work.

This Bill would, in effect, be of a discriminatory nature in that State Highway Department employees in the other 66 counties of the State of Alabama would be operating under the regular work schedule of the Highway Department. In other words, this Bill would provide for the paying of special wages to Cherokee County employees thus discriminating against all other similarly classified state employees.

It would be most desirable to place all state employees on a 40 hour work basis. House Bill 92, presently pending, provides a 40 hour work week for all state employees who are under the provisions of the Merit System. I would favor passage of House Bill 92.

In addition to the above, in my judgment, this Bill, though passed as "Local Legislation", is general in its application, thus making it of questionable constitutionality.

Under the circumstances, it is necessary that I withhold my approval from House Bill 134.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Mr. Meade, Consideration of the above and foregoing Message from the Governor, returning the bill, H. 134, without his approval, was postponed until the Twenty-third legislative day.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor, returning H. J. R. 77, with a suggested Executive Amendment.

Respectfully Submitted,
EARL C. MORGAN,
Executive Secretary.

JULY 12, 1963

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the Body in which it originated, H. J. R. 77, without my approval and with a suggested executive amendment.

Amend said H. J. R. 77 by striking therefrom in lines 5 and 6 the words "E. C. Ellison Highway" and substituting in lieu thereof the words "Ayres-Ellison Road".

The adoption of the above amendment will remove my objection to the Resolution.

Respectfully,
GEORGE C. WALLACE,
Governor.

GOVERNOR'S MESSAGE

On motion of Messrs. Branyon and Scurlock, consideration of the suggested Executive Amendment to the Resolution, H.J.R. 77, as contained in the above and foregoing Message from the Governor, was postponed until the next legislative day.

ADJOURNMENT

Mr. Fite moved that the House adjourn until Tuesday, July 16, 1963, at ten o'clock A.M.

Mr. Bailes offered a substitute motion that the House adjourn until Tuesday, July 16, 1963, at twelve o'clock, noon, and said motion was adopted.

TWENTY-SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, July 16, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Richard F. Rouquie, Pastor, Covenant Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cook	Harper	Pennington
Avery	Cooper	Hawkins	Perry
Bailes	Cornett	Heflin	Pierce
Baker (DeKalb)	Crawford	Hester	Powell
Baker (Madison)	Daniel	Hogan	Pruitt
Bassett	Davis	Holladay	Rast
Bethea (B)	Doggett	Ingram	Reynolds
Bethea (M)	Dominick	Jones (Covington)	Rogers
Blanton	Downing	Jones (Monroe)	Salter
Bolton	Drake	Little	Scurlock
Boston	Edington	Locke	Sessions
Bowers	Edwards (Escambia)	McCorquodale	Slate
Branyon	Edwards (Lowndes)	McDermott	Smith
Brown (Jefferson)	Engel	Martin	Snell
Brown (Tuscaloosa)	Etheredge	Mashburn	Steagall
Burnham	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Teel
Callahan	Fite	Merrill	Thomas
Camp	Gilmore	Moore	Turner (Crenshaw)
Campbell (Jackson)	Glass	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turnham
Cantrell	Goodwyn	NeSmith	Vacca
Carr	Grouby	Nettles	Wood
Casey	Hain	Owens	Young
Cates	Hankins		

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Callahan leave of absence was granted to Mr. Sullivan because of personal illness.

UNFINISHED BUSINESS

The House proceeded to the consideration of the Unfinished Business.

And the bill:

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

The motion of Mr. Dominick to indefinitely postpone the bill, H. 568, was lost.

Yeas 33; Nays 63.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Holladay	Perry
Albee	Carr	Ingram	Pierce
Bailes	Casey	Little	Pruitt
Bolton	Collins	Mashburn	Rast
Bowers	Cornett	Meeks	Sessions
Branyon	Dominick	Morrow	Stembridge
Burnham	Etheredge	NeSmith	Turner (Limestone)
Camp	Gilmore	Pennington	Vacca
Campbell (Jackson)	Goldthwaite		

—33

Nays:

Mr. Speaker	Downing	Heflin	Powell
Baker (DeKalb)	Drake	Hester	Reynolds
Baker (Madison)	Edington	Hogan	Rogers
Bassett	Edwards (Escambia)	Jones (Covington)	Salter
Boston	Edwards (Lowndes)	Jones (Monroe)	Scurlock
Brown (Jefferson)	Engel	Locke	Slate
Brown (Tuscaloosa)	Faulk	McCorquodale	Smith
Burns	Fields	McDermott	Snell
Callahan	Fite	Martin	Steagall
Cantrell	Glass	Meade	Teel
Cates	Goodwyn	Merrill	Thomas
Cook	Hain	Moore	Turner (Crenshaw)
Cooper	Hankins	Nabors	Turnham
Crawford	Hannah	Nettles	Wood
Daniel	Harper	Owens	Young
Doggett	Hawkins	Paulk	

—63

On motion of Mr. Fite, the motion of Mr. Campbell (Tuscaloosa) to postpone further consideration of the bill, H. 568, until the thirtieth legislative day, was laid upon the table.

Yeas 57; Nays 38.

Yeas:

Mr. Speaker	Drake	Harper	Owens
Baker (Madison)	Edington	Hawkins	Paulk
Bassett	Edwards (Escambia)	Heflin	Powell
Blanton	Edwards (Lowndes)	Hester	Rogers
Boston	Engel	Hogan	Scurlock
Brown (Tuscaloosa)	Faulk	Jones (Monroe)	Slate
Burns	Fields	Locke	Smith
Callahan	Fite	McDermott	Steagall
Carr	Glass	Martin	Stembridge
Cook	Goodwyn	Meade	Thomas
Cooper	Grouby	Merrill	Turner (Crenshaw)
Crawford	Hain	Moore	Turnham
Daniel	Hankins	Nabors	Wood
Doggett	Hannah	Nettles	Young
Downing			

—57

Nays:

Messrs.	Camp	Holladay	Perry
Albea	Campbell (Jackson)	Ingram	Pruitt
Avery	Campbell (Tuscaloosa)	Jones (Covington)	Rast
Bailes	Casey	Little	Salter
Baker (DeKalb)	Collins	Mashburn	Sessions
Bethea (B)	Cornett	Meeks	Snell
Bolton	Dominick	Morrow	Teel
Bowers	Etheredge	NeSmith	Turner (Limestone)
Branyon	Gilmore	Pennington	Vacca
Burnham	Goldthwaite		

—38

On motion of Mr. Fite, the motion of Mr. Campbell (Tuscaloosa) to recommit the bill, H. 568, was laid upon the table.

Yeas 61; Nays 37.

Yeas:

Mr. Speaker	Downing	Harper	Powell
Baker (DeKalb)	Drake	Heflin	Reynolds
Baker (Madison)	Edington	Hester	Rogers
Bassett	Edwards (Escambia)	Hogan	Slater
Blanton	Edwards (Lowndes)	Jones (Monroe)	Scurlock
Boston	Engel	McDermott	Slate
Brown (Tuscaloosa)	Faulk	Martin	Smith
Burns	Fields	Meade	Snell
Callahan	Fite	Merrill	Steagall
Cantrell	Glass	Moore	Teel
Cates	Goodwyn	Nabors	Thomas
Cook	Grouby	NeSmith	Turner (Crenshaw)
Cooper	Hain	Nettles	Turnham
Crawford	Hankins	Owens	Wood
Daniel	Hannah	Paulk	Young
Doggett			

—61

Nays:

Messrs.	Bailes	Bowers	Burnham
Albea	Bethea (B)	Branyon	Camp
Avery	Bolton	Brown (Jefferson)	Campbell (Jackson)

Carr	Goldthwaite	Mashburn	Pruitt
Casey	Hawkins	Meeks	Rast
Collins	Holladay	Morrow	Sessions
Cornett	Ingram	Pennington	Stembridge
Dominick	Jones (Covington)	Perry	Turner (Limestone)
Etheredge	Little	Pierce	Vacca
Gilmore	Locke		

—37

Mr. Bolton offered the following amendment to the bill, H. 568:

Amendment to House Bill 568.

House Bill 568 is hereby amended as follows:

By striking paragraph (a) of Section one thereof.

By amending paragraph (b) Sec. No. 1 thereof by striking the words other one-half where same appears on line one of said Section (b) and in lieu thereof inserting the words "all"

On motion of Mr. Fite the amendment offered by Mr. Bolton was laid upon the table.

Yeas 71; Nays 22.

Yeas:

Mr. Speaker	Crawford	Hawkins	Pennington
Bailes	Daniel	Heflin	Perry
Baker (DeKalb)	Dominick	Hester	Rast
Baker (Madison)	Downing	Hogan	Reynolds
Bassett	Drake	Jones (Monroe)	Rogers
Bethea (B)	Edwards (Escambia)	Locke	Salter
Bethea (M)	Engel	McDermott	Sessions
Blanton	Etheredge	Martin	Slate
Boston	Faulk	Mashburn	Smith
Bowers	Fields	Meade	Snell
Brown (Tuscaloosa)	Fite	Meeks	Steagall
Burns	Gilmore	Merrill	Thomas
Callahan	Glass	Moore	Turner (Crenshaw)
Cantrell	Goodwyn	Morrow	Turnham
Cates	Grouby	Nabors	Vacca
Collins	Hain	Nettles	Wood
Cook	Hankins	Owens	Young
Cooper	Hannah	Paulk	

—71

Nays:

Messrs.	Campbell (Jackson)	Holladay	Powell
Albea	Campbell (Tuscaloosa)	Ingram	Pruitt
Avery	Carr	Jones (Covington)	Scurlock
Bolton	Casey	Little	Teel
Burnham	Cornett	NeSmith	Turner (Limestone)
Camp	Goldthwaite	Pierce	

—22

On motion of Mr. Fite, the motion of Mr. Etheredge to postpone further consideration of the bill, H. 568, until the thirty-sixth legislative day, was laid upon the table.

Yeas 60; Nays 35.

Yeas:

Mr. Speaker	Doggett	Hannah	Powell
Baker (DeKalb)	Downing	Harper	Reynolds
Baker (Madison)	Drake	Hawkins	Rogers
Bassett	Edington	Heflin	Salter
Bethea (M)	Edwards (Escambia)	Hester	Scurlock
Blanton	Edwards (Lowndes)	Hogan	Slate
Boston	Engel	Jones (Monroe)	Smith
Brown (Tuscaloosa)	Faulk	McDermott	Snell
Burns	Fields	Martin	Steagall
Callahan	Fite	Merrill	Teel
Cantrell	Glass	Moore	Thomas
Cook	Goodwyn	Nabors	Turner (Crenshaw)
Cooper	Grouby	Nettles	Turnham
Crawford	Hain	Owens	Wood
Daniel	Hankins	Paulk	Young

—60

Nays:

Messrs.	Camp	Gilmore	NeSmith
Albea	Campbell (Jackson)	Goldthwaite	Pennington
Avery	Campbell (Tuscaloosa)	Holladay	Perry
Bailes	Carr	Ingram	Pierce
Bethea (B)	Casey	Jones (Covington)	Pruitt
Bolton	Collins	Little	Rast
Bowers	Cornett	Mashburn	Sessions
Branyon	Dominick	Meeks	Turner (Limestone)
Burnham	Etheredge	Morrow	Vacca

—35

On motion of Mr. Fite, the motion of Mr. Etheredge to postpone further consideration of the bill, H. 568, until the thirty-fifth legislative day, was laid upon the table.

Yeas 59; Nays 31.

Yeas:

Mr. Speaker	Downing	Hawkins	Reynolds
Baker (DeKalb)	Drake	Heflin	Rogers
Baker (Madison)	Edington	Hogan	Salter
Bassett	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bethea (M)	Edwards (Lowndes)	Locke	Slate
Blanton	Engel	McDermott	Smith
Boston	Faulk	Martin	Snell
Burns	Fields	Meade	Steagall
Cantrell	Fite	Merrill	Stembridge
Cates	Glass	Moore	Teel
Cook	Grouby	Nabors	Thomas
Cooper	Hain	Nettles	Turner (Crenshaw)
Crawford	Hankins	Owens	Turnham
Daniel	Hannah	Paulk	Wood
Doggett	Harper	Powell	

—59

Nays:

Messrs.	Bolton	Camp	Collins
Albea	Bowers	Campbell (Jackson)	Cornett
Bailes	Branyon	Carr	Etheredge
Bethea (B)	Burnham	Casey	Gilmore

Goldthwaite	Little	Pennington	Rast
Holladay	Mashburn	Perry	Sessions
Ingram	Morrow	Pierce	Turner (Limestone)
Jones (Covington)	NeSmith	Pruitt	Vacca

—31

MOTION TO RECESS LOST

The motion of Mr. Etheredge that the House recess until 3:00 o'clock this afternoon was lost.

MOTION TO RECESS LOST

The motion of Mr. Etheredge that the House recess until 3:10 o'clock this afternoon was lost.

Yeas 40; Nays 50.

Yeas:

Messrs.	Campbell (Jackson)	Hannah	Perry
Albea	Campbell (Tuscaloosa)	Holladay	Pierce
Bailes	Casey	Ingram	Powell
Bethea (B)	Collins	Jones (Covington)	Pruitt
Bethea (M)	Cornett	Locke	Rast
Blanton	Dominick	Martin	Scurlock
Bolton	Etheredge	Meeks	Sessions
Boston	Gilmore	Morrow	Teel
Bowers	Goldthwaite	NeSmith	Turner (Limestone)
Branyon	Hain	Pennington	Vacca
Burnham			

—40

Nays:

Mr. Speaker	Drake	Hester	Rogers
Baker (DeKalb)	Edgington	Hogan	Slater
Baker (Madison)	Edwards (Escambia)	Jones (Monroe)	Slate
Bassett	Edwards (Lowndes)	McDermott	Smith
Burns	Engel	Mashburn	Snell
Callahan	Fields	Meade	Steagall
Cantrell	Fite	Merrill	Stembridge
Carr	Glass	Moore	Thomas
Cooper	Goodwyn	Nabors	Turner (Crenshaw)
Crawford	Grouby	Nettles	Turnham
Daniel	Harper	Paulk	Wood
Davis	Hawkins	Reynolds	Young
Downing	Heflin		

—50

FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

Mr. Casey offered the following amendment to the bill, H. 568:

Amendment to H.B. 568

Amend Section one of said bill as follows:

Section 1

(a) delete the word "one-half of said two-sevenths", and add the following in place thereof: one-twelfth of the excise tax on gasoline as levied in section 647 of Title 51

On motion of Mr. Fite the amendment offered by Mr. Casey was laid upon the table.

Yeas 59; Nays 38.

Yeas:

Mr. Speaker	Drake	Hawkins	Reynolds
Baker (DeKalb)	Edington	Heflin	Rogers
Baker (Madison)	Edwards (Escambia)	Hester	Salter
Bassett	Edwards (Lowndes)	Hogan	Slate
Bethea (M)	Engel	Jones (Monroe)	Smith
Blanton	Faulk	McDermott	Snell
Boston	Fields	Martin	Steagall
Burns	Fite	Meade	Stembridge
Callahan	Glass	Merrill	Teel
Cantrell	Goodwyn	Moore	Thomas
Cook	Grouby	Nabors	Turner (Crenshaw)
Cooper	Hain	Nettles	Turnham
Crawford	Hankins	Owens	Wood
Daniel	Hannah	Paulk	Young
Downing	Harper	Powell	

—59

Nays:

Messrs.	Camp	Goldthwaite	Pennington
Albea	Campbell (Jackson)	Holladay	Perry
Avery	Campbell (Tuscaloosa)	Ingram	Pierce
Bailes	Carr	Jones (Covington)	Pruitt
Bethea (B)	Casey	Little	Rast
Bolton	Collins	Locke	Scurlock
Bowers	Cornett	Mashburn	Sessions
Branyon	Dominick	Meeks	Turner (Limestone)
Brown (Jefferson)	Etheredge	Morrow	Vacca
Burnham	Gilmore	NeSmith	

—38

RESOLUTION

The following Resolution was introduced:

By Messrs. Perry and Morrow:

H. J. R. 85. WHEREAS our Governor, Honorable George C. Wallace, appeared on yesterday before the Committee of the Senate of the United States charged with the duty of conducting hearings on the unfortunate civil rights proposals by the President to the Congress, and

WHEREAS our Governor spoke effectively, purposefully and persuasively for all of the people of Alabama, now

THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that the Legislature of Alabama support the Governor in his efforts to draw the attention of all the people of the United States of America to the real content of the civil rights legislation before the Congress, and

BE IT FURTHER RESOLVED that the Legislature prays that the wise and restrained counsel of Governor Wallace go not unheeded in America and the World.

On motion of Mr. Perry the rules were suspended and H.J.R. 85 was adopted.

FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

Mr. Bolton offered the following amendment to the bill, H. 568:

Amendment to House Bill 568

House bill number 568 is hereby amended as follows:

By striking sub-section (3) paragraph (a) Section 1 thereof and in lieu thereof inserting the following.

(3) the residue of said one-half thereafter remaining shall be divided equally among the sixty-seven counties of the State of Alabama.

On motion of Mr. Fite the amendment offered by Mr. Bolton was laid upon the table.

Yeas 59; Nays 28.

Yeas:

Mr. Speaker	Daniel	Harper	Pennington
Baker (DeKalb)	Doggett	Hawkins	Perry
Baker (Madison)	Downing	Heflin	Reynolds
Bassett	Drake	Hester	Rogers
Bethea (B)	Edington	Hogan	Salter
Bethea (M)	Edwards (Escambia)	Jones (Monroe)	Slate
Blanton	Engel	Locke	Smith
Boston	Faulk	McDermott	Snell
Callahan	Fields	Martin	Steagall
Campbell (Jackson)	Fite	Merrill	Stembridge
Cantrell	Glass	Moore	Thomas
Cates	Grouby	Morrow	Turner (Crenshaw)
Collins	Hain	Nabors	Turnham
Cooper	Hankins	Nettles	Wood
Crawford	Hannah	Paulk	

—59

Nays:

Messrs.	Campbell (Tuscaloosa)	Goldthwaite	Pierce
Albea	Carr	Holladay	Powell
Bailes	Casey	Ingram	Pruitt
Bolton	Cornett	Jones (Covington)	Rast
Bowers	Dominick	Little	Scurlock
Brown (Jefferson)	Etheredge	Meeks	Teel
Burnham	Gilmore	NeSmith	Turner (Limestone)
Camp			

—28

Mr. Etheredge offered the following amendment to the bill, H. 568:

Amendment to H.B. 568:

In Section 657 (a) and in the last paragraph of Section 657 (b) to strike the words "one-half of said two-sevenths" and to substitute in lieu thereof the words "one-tenth of said two-sevenths"

And,

In Section 657 (b) to strike the words "one-half of said two-sevenths" and to substitute in lieu thereof the words "nine-tenths of said two-sevenths"

And further, to strike the word "equally" and to substitute in lieu thereof the words "on a population basis" in Section 657 (b).

MOTION TO RECESS LOST

The motion of Mr. Etheredge that the House recess until 3:00 o'clock this afternoon was lost.

Yeas 43; Nays 51.

Yeas:

Messrs.	Burnham	Hannah	Perry
Albea	Campbell (Jackson)	Holladay	Pierce
Bailes	Campbell (Tuscaloosa)	Ingram	Powell
Bethea (B)	Casey	Jones (Covington)	Pruitt
Bethea (M)	Collins	Little	Rast
Blanton	Cornett	Locke	Scurlock
Bolton	Etheredge	Martin	Sessions
Boston	Gilmore	Meeks	Slate
Bowers	Goldthwaite	Morrow	Turner (Limestone)
Branyon	Hain	NeSmith	Vacca
Brown (Jefferson)	Hankins	Pennington	

—43

Nays:

Mr. Speaker	Davis	Harper	Paulk
Baker (DeKalb)	Doggett	Heflin	Rogers
Baker (Madison)	Downing	Hester	Salter
Bassett	Drake	Hogan	Smith
Burns	Edington	Jones (Monroe)	Snell
Callahan	Edwards (Etowah)	McDermott	Stegall
Camp	Edwards (Lowndes)	Mashburn	Teel
Cantrell	Engel	Meade	Thomas
Cates	Fields	Merrill	Turner (Crenshaw)
Cook	Fite	Moore	Turnham
Cooper	Glass	Nabors	Wood
Crawford	Goodwyn	Nettles	Young
Daniel	Grouby	Owens	

—51

FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

And on motion of Mr. Fite the amendment offered by Mr. Etheredge to the bill, H. 568, was laid upon the table.

Yeas 67; Nays 27.

Yeas:

Mr. Speaker	Crawford	Hannah	Powell
Baker (Madison)	Daniel	Harper	Pruitt
Bassett	Doggett	Heflin	Reynolds
Blanton	Downing	Hester	Rogers
Bolton	Drake	Hogan	Salter
Boston	Edington	Holladay	Scurlock
Branyon	Edwards (Escambia)	Ingram	Slate
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Monroe)	Smith
Burns	Engel	McDermott	Snell
Callahan	Faulk	Martin	Steagall
Camp	Fields	Merrill	Stembridge
Campbell (Jackson)	Fite	Moore	Thomas
Cantrell	Glass	Nabors	Turner (Crenshaw)
Casey	Goodwyn	NeSmith	Turnham
Cates	Grouby	Nettles	Wood
Cook	Hain	Owens	Young
Cooper	Hankins	Paulk	

—67

Nays:

Messrs.	Burnham	Goldthwaite	Morrow
Albea	Campbell (Tuscaloosa)	Hawkins	Pennington
Bailes	Collins	Jones (Covington)	Perry
Bethea (B)	Cornett	Little	Pierce
Bethea (M)	Dominick	Locke	Rast
Bowers	Etheredge	Mashburn	Sessions
Brown (Jefferson)	Gilmore	Meeks	Vacca

—27

On motion of Mr. Fite, the motion of Mr. Etheredge to postpone further consideration of the bill, H. 568, until the thirty-fourth legislative day, was laid upon the table.

Yeas 55; Nays 33.

Yeas:

Mr. Speaker	Edwards (Escambia)	Hester	Salter
Baker (Madison)	Edwards (Lowndes)	Hogan	Scurlock
Bassett	Engel	Jones (Monroe)	Slate
Blanton	Faulk	McDermott	Smith
Boston	Fields	Martin	Snell
Campbell (Jackson)	Fite	Merrill	Steagall
Cantrell	Glass	Moore	Stembridge
Cook	Goodwyn	Nabors	Teel
Crawford	Grouby	Nettles	Thomas
Daniel	Hain	Owens	Turner (Crenshaw)
Doggett	Hannah	Paulk	Turnham
Downing	Harper	Powell	Wood
Drake	Hawkins	Reynolds	Young
Edington	Heflin	Rogers	

—55

Nays:

Messrs.	Burnham	Gilmore	Morrow
Albea	Burns	Goldthwaite	Pennington
Bailes	Camp	Holladay	Perry
Bethea (B)	Campbell (Tuscaloosa)	Ingram	Pierce
Bethea (M)	Casey	Jones (Covington)	Pruitt
Bolton	Collins	Little	Rast
Bowers	Cornett	Mashburn	Sessions
Brown (Jefferson)	Dominick	Meeks	Vacca
Brown (Tuscaloosa)	Etheredge		

—33

On motion of Mr. Fite, the motion of Mr. Etheredge to postpone further consideration of the bill, H. 568, until the thirty-third legislative day, was laid upon the table.

Yeas 60; Nays 31.

Yeas:

Mr. Speaker	Daniel	Harper	Reynolds
Baker (Madison)	Doggett	Hawkins	Rogers
Bassett	Downing	Heflin	Salter
Bethea (M)	Drake	Hester	Scurlock
Blanton	Edwards (Escambia)	Hogan	Slate
Boston	Edwards (Lowndes)	Jones (Monroe)	Smith
Branyon	Engel	McDermott	Snell
Brown (Tuscaloosa)	Faulk	Martin	Steagall
Burns	Fite	Merrill	Stembridge
Callahan	Glass	Moore	Teel
Campbell (Jackson)	Goodwyn	Nabors	Thomas
Cantrell	Grouby	Nettles	Turner (Crenshaw)
Cook	Hain	Owens	Turnham
Cooper	Hankins	Paulk	Wood
Crawford	Hannah	Powell	Young

—60

Nays:

Messrs.	Camp	Gilmore	Meeks
Albea	Campbell (Tuscaloosa)	Goldthwaite	Morrow
Avery	Carr	Holladay	Pennington
Bailes	Casey	Ingram	Perry
Bethea (B)	Collins	Jones (Covington)	Pierce
Bowers	Cornett	Little	Pruitt
Brown (Jefferson)	Dominick	Locke	Rast
Burnham	Etheredge	Mashburn	Sessions

—31

MOTION TO RECESS LOST

The motion of Mr. Albea that the House recess until 3:30 o'clock this afternoon was lost.

Yeas 43; Nays 52.

Yeas:

Messrs.	Bethea (B)	Bolton	Branyon
Albea	Bethea (M)	Boston	Brown (Jefferson)
Bailes	Blanton	Bowers	Brown (Tuscaloosa)

Burnham	Etheredge	Jones (Covington)	Perry
Campbell (Jackson)	Gilmore	Little	Pierce
Campbell (Tuscaloosa)	Goldthwaite	Locke	Powell
Casey	Hain	Meeks	Pruitt
Collins	Hankins	Morrow	Rast
Cooper	Hannah	Nabors	Sessions
Cornett	Holladay	NeSmith	Slate
Dominick	Ingram	Pennington	Vacca

—43

Nays:

Mr. Speaker	Doggett	Hawkins	Rogers
Baker (Madison)	Downing	Heflin	Salter
Bassett	Drake	Hester	Scurlock
Burns	Edgington	Hogan	Smith
Callahan	Edwards (Escambia)	Jones (Monroe)	Snell
Camp	Edwards (Lowndes)	McDermott	Steagall
Cantrell	Engel	Martin	Stembridge
Carr	Fields	Mashburn	Teel
Cates	Fite	Merrill	Thomas
Cook	Glass	Moore	Turner (Crenshaw)
Crawford	Goodwyn	Nettles	Turnham
Daniel	Grouby	Paulk	Wood
Davis	Harper	Reynolds	Young

—52

RESOLUTION

The following resolution was introduced:

By Mr. Nabors:

H. J. R. 86. WHEREAS, the special constitutional amendment election ordered to be held on Tuesday, August 13, 1963, by Act No. 91, H. 37, Second Special Session 1963, will entail unnecessary expenses for the State and the several counties in view of the fact that the amendment can be voted on at the same time as other amendments submitted at this session without detriment to the people or the public interest; and

WHEREAS, the Justices of the Supreme Court of Alabama advised the Legislature on a former occasion that there are no requirements of law as to the form that a legislative appointment of the day for an election must take, and that the designation of the day may be incorporated in the act or resolution proposing the amendment or otherwise; and

WHEREAS, there is no prohibition in law which prevents a redesignation of a day appointed for holding the election on the constitutional amendment proposed by said Act No. 91; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an election upon the amendment proposed by said Act No. 91 is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the 1963 Regular Session of the Legislature, and the order incorporated in said Act No. 91, Section 2, is hereby rescinded.

RESOLVED FURTHER, That the Secretary of State, the Honorable Agnes Baggett, is hereby directed to recall her certificate dated June 13, 1963, and forthwith to notify the probate judges of the several counties of this order.

On motion of Mr. Nabors the rules were suspended and H.J.R. 86 was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Harper	Pierce
Avery	Crawford	Hawkins	Powell
Bailes	Daniel	Heflin	Pruitt
Baker (DeKalb)	Davis	Hester	Rast
Baker (Madison)	Doggett	Hogan	Reynolds
Bethea (B)	Downing	Holladay	Rogers
Bethea (M)	Drake	Ingram	Salter
Blanton	Edington	Jones (Covington)	Sessions
Boston	Edwards (Escambia)	Little	Slate
Bowers	Edwards (Lowndes)	Locke	Smith
Branyon	Engel	McDermott	Snell
Brown (Jefferson)	Etheredge	Martin	Steagall
Burnham	Faulk	Mashburn	Stembridge
Burns	Fields	Meade	Teel
Callahan	Fite	Meeks	Thomas
Camp	Gilmore	Moore	Turner (Crenshaw)
Campbell (Jackson)	Glass	Morrow	Turnham
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Vacca
Cantrell	Grouby	Owens	Wood
Carr	Hain	Paulk	Young
Casey	Hankins	Pennington	

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UNANIMOUS CONSENT GRANTED

Mr. Nabors requested unanimous consent to introduce a bill out of order, and it was so granted.

INTRODUCTION OF BILL

The following bill was introduced, read one time and referred to appropriate standing committee, as follows:

By Mr. Nabors:

H. 703. Relating to elections; to provide for payment of expenses accrued in relation to the constitutional amendment election called for Tuesday, August 13, 1965.

Ways and Means.

FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

Mr. Bolton offered the following amendment to the bill, H. 568:

Amend HB 568

Amend Section 2 by deleting Section 2 thereof and in lieu thereof add the following.

"Section 2, This act shall become effective on July 1, 1965, upon the approval of the Governor or shall otherwise become law"

On motion of Mr. Fite the amendment offered by Mr. Bolton was laid upon the table.

Yeas 61; Nays 29.

Yeas:

Mr. Speaker	Davis	Hankins	Powell
Baker (DeKalb)	Doggett	Hannah	Reynolds
Baker (Madison)	Downing	Harper	Rogers
Bassett	Drake	Hawkins	Salter
Bethea (M)	Edington	Heflin	Slate
Blanton	Edwards (Escambia)	Hester	Smith
Boston	Edwards (Lowndes)	Jones (Monroe)	Snell
Brown (Tuscaloosa)	Engel	McDermott	Steagall
Burns	Faulk	Martin	Stembridge
Callahan	Fields	Merrill	Teel
Cantrell	Fite	Moore	Thomas
Cates	Glass	Nabors	Turner (Crenshaw)
Cook	Goodwyn	Nettles	Turnham
Cooper	Grouby	Owens	Wood
Crawford	Hain	Paulk	Young
Daniel			

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Nays:

Messrs.	Camp	Holladay	Pennington
Albea	Campbell (Jackson)	Ingram	Perry
Bailes	Carr	Jones (Covington)	Pierce
Bethea (B)	Casey	Little	Pruitt
Bolton	Cornett	Mashburn	Scurlock
Bowers	Etheredge	Morrow	Sessions
Brown (Jefferson)	Gilmore	NeSmith	Vacca
Burnham	Goldthwaite		

—29

On motion of Mr. Fite, the motion of Mr. Dominick to postpone further consideration of the bill, H. 568, until the thirty-second legislative day, was laid upon the table.

Yeas 59; Nays 34.

Yeas:

Mr. Speaker	Cooper	Fite	McDermott
Baker (DeKalb)	Crawford	Glass	Martin
Baker (Madison)	Daniel	Grouby	Meade
Bassett	Doggett	Hain	Merrill
Bethea (M)	Downing	Hankins	Moore
Blanton	Drake	Hannah	Nabors
Boston	Edington	Harper	NeSmith
Burns	Edwards (Escambia)	Hawkins	Nettles
Callahan	Edwards (Lowndes)	Heflin	Owens
Campbell (Jackson)	Engel	Hester	Paulk
Cantrell	Faulk	Hogan	Powell
Cook	Fields	Jones (Monroe)	Reynolds

Rogers
Salter
Scurlock

Smith
Snell
Steagall

Teel
Turner (Crenshaw)
Turnham

Wood
Young

—59

Nays:

Messrs.
Albea
Avery
Bailes
Betha (B)
Bolton
Bowers
Branyon
Brown (Jefferson)

Burnham
Camp
Campbell (Tuscaloosa)
Carr
Casey
Collins
Cornett
Dominick
Etheredge

Gilmore
Goldthwaite
Holladay
Ingram
Jones (Covington)
Little
Locke
Meeks
Morrow

Pennington
Perry
Pierce
Pruitt
Sessions
Slate
Turner (Limestone)
Vacca

—34

MOTION TO RECESS LOST

The motion of Mr. Campbell (Tuscaloosa) that the House recess until 3:30 o'clock this afternoon was lost.

Yeas 45; Nays 51.

Yeas:

Messrs.
Albea
Bailes
Betha (B)
Betha (M)
Blanton
Bolton
Bowers
Branyon
Brown (Jefferson)
Brown (Tuscaloosa)
Burnham

Campbell (Jackson)
Campbell (Tuscaloosa)
Carr
Casey
Cates
Collins
Cornett
Dominick
Etheredge
Gilmore
Goldthwaite
Hain

Hankins
Holladay
Ingram
Jones (Covington)
Locke
Martin
Meade
Meeks
Morrow
NeSmith
Pennington

Perry
Pierce
Powell
Pruitt
Rast
Salter
Scurlock
Sessions
Slate
Stembridge
Vacca

—45

Nays:

Mr. Speaker
Avery
Baker (DeKalb)
Baker (Macon)
Bassett
Boston
Burns
Callahan
Camp
Cantrell
Cook
Cooper
Crawford

Daniel
Downing
Drake
Edington
Edwards (Escambia)
Edwards (Lowndes)
Engel
Fields
Fite
Glass
Grouby
Hannah
Harper

Hawkins
Heflin
Hester
Hogan
Jones (Monroe)
Little
McDermott
Mashburn
Merrill
Moore
Nabors
Nettles
Owens

Paulk
Reynolds
Rogers
Smith
Snell
Steagall
Teel
Turner (Crenshaw)
Turner (Limestone)
Turnham
Wood
Young

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FURTHER CONSIDERATION OF H. 568

H. 568. To amend Section 657 of Title 51 of the Code of Alabama

of 1940, as heretofore amended, so as to make further provisions respecting the distribution of the state gasoline excise tax.

Was again taken up.

And said bill, H. 568, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 35.

Yeas:

Mr. Speaker	Drake	Heflin	Rast
Baker (DeKalb)	Edington	Hester	Reynolds
Baker (Madison)	Edwards (Escambia)	Hogan	Rogers
Bassett	Edwards (Lowndes)	Jones (Monroe)	Salter
Bethea (M)	Engel	McDermott	Scurlock
Blanton	Faulk	Martin	Slate
Boston	Fields	Meade	Smith
Burns	Fite	Merrill	Snell
Cantrell	Glass	Moore	Steagall
Collins	Goodwyn	Nabors	Teel
Cook	Grouby	NeSmith	Thomas
Cooper	Hain	Nettles	Turner (Crenshaw)
Crawford	Hankins	Owens	Turnham
Daniel	Hannah	Paulk	Wood
Doggett	Harper	Powell	Young
Downing	Hawkins		

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Nays:

Messrs.	Burnham	Etheredge	Morrow
Albea	Camp	Gilmore	Pennington
Avery	Campbell (Jackson)	Goldthwaite	Perry
Bailes	Carr	Holladay	Pierce
Bethea (B)	Casey	Ingram	Pruitt
Bolton	Cates	Jones (Covington)	Sessions
Bowers	Cornett	Little	Stembridge
Branyon	Davis	Locke	Turner (Limestone)
Brown (Jefferson)	Dominick	Meeks	Vacca

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BILLS ON THIRD READING

SPECIAL ORDER

The House proceeded to the consideration of the Special Order.

And the bill:

H. 569. To authorize the Governor of Alabama, the Highway Director and the Director of Finance to become a corporation; to prescribe the powers of such corporation, including the power to construct public roads and bridges in the state and to finance such construction by the issuance of its bonds; to provide that such bonds and the income therefrom shall be exempt from taxation, and that such bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies and for investment of trust funds; and shall not create an obligation or debt of the state; to provide for the disposition of the proceeds of the sale of the bonds of such corporation; to make appropriation and pledge of funds necessary to pay the principal of and interest on bonds of such corporation; to authorize

such corporation to pledge such funds for payment of the principal of and interest on its bonds; to provide that such principal and interest shall be payable solely from such funds, but that said bonds will nevertheless constitute negotiable instruments; to provide that the State Treasurer shall be custodian of funds of said corporation; to confer on said corporation the power of eminent domain; and to provide for the dissolution of such corporation.

Was taken up.

Mr. Fite offered the following amendment to the bill, H. 569:

Amend House Bill 569 by inserting, after Section 12 thereof, the following new Section 12A:

Section 12A. Restoration of County Aid Fund. Whenever any portion of the proceeds of the state gasoline excise tax that would otherwise have been paid into the County Aid Fund pursuant to the provisions of Section 4 of the Farm to Market Road Act of 1943, as amended, shall be used for payment of the principal of or interest on any bonds issued hereunder, the Highway Director is hereby authorized and directed thereupon to transfer into the County Aid Fund from money in the public road and bridge fund constituting the residue of proceeds from the state gasoline tax that is referred to in subsection (d) of Section 656 of Title 51, of the said code, as amended, a sum equal to, but not exceeding, the amount used for payment of such principal and interest as aforesaid. Nothing herein contained shall be construed to authorize any transfer to the County Aid Fund that would impair the obligation of, or jeopardize the payment of the principal of or interest on, any bonds heretofore or hereafter issued by the State or by Alabama Highway Authority pursuant to authorization in any existing statute, and any refunding bonds that may be hereafter issued to refund any thereof.

And the amendment was adopted.

Yeas 83; Nays 5.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Albea	Cook	Hankins	Paulk
Bailes	Cooper	Hannah	Perry
Baker (DeKalb)	Cornett	Harper	Pierce
Baker (Madison)	Crawford	Hawkins	Pruitt
Rassett	Daniel	Heflin	Reynolds
Betha (B)	Davis	Hester	Rogers
Blanton	Doggett	Hogan	Salter
Bolton	Downing	Holladay	Scurlock
Boston	Drake	Jones (Covington)	Sessions
Branyon	Edington	Jones (Monroe)	Slate
Brown (Jefferson)	Edwards (Escambia)	Locke	Smith
Brown (Tuscaloosa)	Engel	McDermott	Steagall
Burns	Etheredge	Martin	Stembridge
Callahan	Faulk	Meade	Teel
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Fite	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Morrow	Turnham
Cantrell	Goldthwaite	Nabors	Wood
Carr	Goodwyn	NeSmith	Young
Casey	Grouby		

Nays:

Messrs.	Gilmore	Pennington	Vacca
Burnham	Ingram		

—5

Mr. Bolton offered the following amendment to the bill, H. 569, as amended:

Amendment to House Bill No. 569

Amend House Bill No. 569 by deleting Section 12 thereof and in lieu thereof insert the following:

"Section 12. Limitation of amount of bonds of Corporation. The total principal amount of bonds of the Corporation outstanding at any time shall not exceed \$500,000.00, and an additional \$3,500,000.00 in principal amount for the purpose of matching Federal Aid; and at no time shall the total principal of outstanding bonds of the Corporation exceed \$4,000,000.00"

On motion of Mr. Fite the amendment offered by Mr. Bolton was laid upon the table.

Yeas 59; Nays 33.

Yeas:

Mr. Speaker	Doggett	Harper	Powell
Baker (DeKalb)	Downing	Hawkins	Reynolds
Baker (Madison)	Drake	Heflin	Rogers
Bassett	Edington	Hester	Salter
Bethea (M)	Edwards (Escambia)	Hogan	Slate
Blanton	Engel	Jones (Monroe)	Smith
Boston	Faulk	McDermott	Snell
Burns	Fields	Martin	Steagall
Callahan	Fite	Merrill	Teel
Cantrell	Glass	Moore	Thomas
Cates	Goodwyn	Nabors	Turner (Crenshaw)
Cook	Grouby	NeSmith	Turnham
Cooper	Hain	Nettles	Wood
Crawford	Hankins	Owens	Young
Daniel	Hannah	Paulk	

—59

Nays:

Messrs.	Camp	Goldthwaite	Pennington
Albea	Campbell (Jackson)	Holladay	Perry
Avery	Campbell (Tuscaloosa)	Ingram	Pierce
Bailes	Carr	Jones (Covington)	Pruitt
Bethea (B)	Casey	Little	Scurlock
Bolton	Cornett	Locke	Sessions
Bowers	Dominick	Meeks	Turner (Limestone)
Brown (Jefferson)	Etheredge	Morrow	Vacca
Burnham	Gilmore		

—33

Mr. Bethea (M) offered the following amendment to the bill, H. 569, as amended:

Amendment

H. B. 569 Section 12 is hereby amended to delete the figure "\$10,000,000.00" and substitute in lieu thereof the figure "\$6,000,000.00."

On motion of Mr. Fite the amendment offered by Mr. Bethea (M) was laid upon the table.

Yeas 56; Nays 33.

Yeas:

Mr. Speaker	Drake	Hawkins	Powell
Baker (DeKalb)	Edington	Heflin	Reynolds
Baker (Madison)	Edwards (Escambia)	Hester	Rogers
Bassett	Edwards (Lowndes)	Hogan	Salter
Blanton	Engel	Jones (Monroe)	Smith
Boston	Faulk	Locke	Snell
Branyon	Fields	McDermott	Steagall
Burns	Fite	Martin	Stembridge
Cantrell	Glass	Merrill	Teel
Cook	Goodwyn	Moore	Thomas
Crawford	Grouby	Nabors	Turner (Crenshaw)
Daniel	Hankins	NeSmith	Turnham
Doggett	Hannah	Nettles	Wood
Downing	Harper	Owens	Young

—56

Nays:

Messrs.	Burnham	Gilmore	Pennington
Albee	Camp	Goldthwaite	Perry
Avery	Campbell (Jackson)	Ingram	Pierce
Bailes	Carr	Jones (Covington)	Pruitt
Bethea (B)	Casey	Little	Scurlock
Bethea (M)	Collins	Mashburn	Sessions
Bolton	Cornett	Meeks	Turner (Limestone)
Bowers	Dominick	Morrow	Vacca
Brown (Jefferson)	Etheredge		

—33

Mr. Dominick offered the following amendment to the bill, H. 569, as amended:

Amendment

H.B. 569 Section 6 is hereby amended to add the following sentence.

"It is further provided that the corporation shall not have the power or authority to employ or appoint attorneys in Highway condemnation cases."

On motion of Mr. Fite the amendment offered by Mr. Dominick was laid upon the table.

Yeas 60; Nays 21.

Yeas:

Mr. Speaker	Cantrell	Edwards (Escambia)	Hannah
Baker (DeKalb)	Cates	Edwards (Lowndes)	Harper
Baker (Madison)	Collins	Engel	Hawkins
Bassett	Cornett	Faulk	Heflin
Blanton	Crawford	Fields	Hester
Boston	Daniel	Fite	Hogan
Bowers	Doggett	Gilmore	Jones (Monroe)
Burns	Downing	Glass	McDermott
Callahan	Drake	Grouby	Martin
Campbell (Jackson)	Edington	Hankins	Mashburn

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Merrill	Owens	Scurlock	Thomas
Moore	Paulk	Snell	Turner (Crenshaw)
Nabors	Powell	Steagall	Turnham
NeSmith	Rogers	Stembridge	Wood
Nettles	Salter	Teel	Young

—60

Nays:

Messrs.	Brown (Tuscaloosa)	Dominick	Perry
Albea	Burnham	Etheredge	Pruitt
Bailes	Camp	Ingram	Rast
Bethea (M)	Carr	Jones (Covington)	Sessions
Bolton	Casey	Pennington	Vacca
Brown (Jefferson)			

—21

Mr. Meeks offered the following amendment to the bill, H. 569, as amended:

Amendment to H. B. 569

Strike out Section 14 of the bill and insert in lieu thereof the following:

Section 14. This Act is conditional upon the approval of a majority of the qualified electors of the state who vote thereon in a referendum election held for such purpose. If the Act is approved, it shall become effective immediately; if not, it shall have no further effect. The referendum election shall be held on the same day as the next election on constitutional amendments, and shall be called, held, and conducted in the same way and by the same officers as such constitutional amendment election. The question to be voted on shall be stated substantially as follows: Do you favor the issuance of \$10,000,000 state highway bonds as provided in Act No. _____, H. B. 569, Regular Session 1963? Yes (). No ().

On motion of Mr. Fite the amendment offered by Mr. Meeks was laid upon the table.

Yeas 47; Nays 39.

Yeas:

Mr. Speaker	Drake	Hogan	Reynolds
Baker (DeKalb)	Edwards (Escambia)	Jones (Monroe)	Salter
Baker (Madison)	Engel	Little	Smith
Bassett	Fields	McDermott	Snell
Blanton	Fite	Martin	Steagall
Burns	Glass	Merrill	Stembridge
Callahan	Grouby	Moore	Teel
Cantrell	Hain	Nabors	Thomas
Crawford	Hannah	Nettles	Turner (Crenshaw)
Daniel	Harper	Owens	Turnham
Doggett	Heflin	Paulk	Wood
Downing	Hester	Powell	

—47

Nays:

Messrs.	Bethea (M)	Burnham	Cates
Albea	Bolton	Camp	Collins
Avery	Bowers	Campbell (Jackson)	Cornett
Bailes	Branyon	Carr	Dominick
Bethea (B)	Brown (Jefferson)	Casey	Etheredge

Gilmore	Jones (Covington)	Pennington	Rogers
Goldthwaite	Locke	Perry	Scurlock
Hankins	Mashburn	Pierce	Sessions
Hawkins	Meeks	Pruitt	Slate
Ingram	Morrow	Rast	Turner (Limestone)

—39

And said bill, H. 569, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 36.

Yeas:

Mr. Speaker	Downing	Heflin	Rast
Baker (DeKalb)	Edington	Hester	Reynolds
Baker (Madison)	Edwards (Escambia)	Hogan	Rogers
Bassett	Edwards (Lowndes)	Jones (Monroe)	Salter
Bethea (M)	Engel	McDermott	Scurlock
Blanton	Faulk	Martin	Slate
Brown (Tuscaloosa)	Fields	Meade	Snell
Burns	Fite	Merrill	Steagall
Callahan	Glass	Moore	Stembridge
Cantrell	Goodwyn	Nabors	Teel
Collins	Grouby	NeSmith	Thomas
Cook	Hain	Nettles	Turner (Crenshaw)
Cooper	Hankins	Owens	Turnham
Crawford	Hannah	Paulk	Wood
Daniel	Harper	Powell	Young
Doggett	Hawkins		

—63

Nays:

Messrs.	Camp	Etheredge	Meeks
Albea	Campbell (Jackson)	Gilmore	Morrow
Avery	Campbell (Tuscaloosa)	Goldthwaite	Pennington
Bailes	Carr	Holladay	Perry
Bethea (B)	Casey	Ingram	Pierce
Bolton	Cates	Jones (Covington)	Pruitt
Bowers	Cornett	Little	Sessions
Branyon	Davis	Locke	Turner (Limestone)
Brown (Jefferson)	Dominick	Mashburn	Vacca
Burnham			

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BILLS ON THIRD READING

SPECIAL ORDER

H. 405. To amend Section 195, Title 46, Code of Alabama (1940), as amended, by providing an increase from ten dollars to thirty dollars for each day actually employed in the discharge of official duties as compensation to the members of the state board of optometry.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Martin that the House adjourn until Thursday, July 18, 1963, at ten o'clock A.M. was lost.

Yeas 29; Nays 63.

Yeas:

Messrs.	Cantrell	Hawkins	NeSmith
Bailes	Collins	Hester	Perry
Bethea (B)	Davis	Little	Pruitt
Bethea (M)	Doggett	Locke	Rast
Bowers	Etheredge	Martin	Sessions
Brown (Jefferson)	Fite	Meade	Teel
Brown (Tuscaloosa)	Goldthwaite	Morrow	Vacca
Callahan	Hankins		

—29

Nays:

Mr. Speaker	Crawford	Harper	Reynolds
Albea	Daniel	Heflin	Rogers
Baker (DeKalb)	Dominick	Hogan	Salter
Baker (Madison)	Downing	Holladay	Scurlock
Bassett	Drake	Jones (Covington)	Slate
Blanton	Edgington	McDermott	Smith
Bolton	Edwards (Escambia)	Mashburn	Snell
Branyon	Edwards (Lowndes)	Merrill	Steagall
Burnham	Engel	Moore	Stembridge
Camp	Fields	Nabors	Thomas
Campbell (Jackson)	Gilmore	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Owens	Turner (Limestone)
Carr	Goodwyn	Paulk	Turnham
Casey	Grouby	Pennington	Wood
Cates	Hain	Pierce	Young
Cooper	Hannah	Powell	

—63

MOTION TO RECESS LOST

The motion of Mr. Etheredge that the House recess until 4:15 o'clock this afternoon was lost.

Yeas 34; Nays 60.

Yeas:

Messrs.	Davis	Hannah	NeSmith
Bailes	Dominick	Hawkins	Perry
Bethea (B)	Etheredge	Hester	Pruitt
Bethea (M)	Faulk	Ingram	Rast
Bowers	Fite	Locke	Sessions
Branyon	Gilmore	Martin	Teel
Brown (Jefferson)	Goldthwaite	Meade	Turnham
Casey	Grouby	Meeks	Vacca
Collins	Hankins	Morrow	

—34

Nays:

Mr. Speaker	Bolton	Cantrell	Doggett
Albea	Brown (Tuscaloosa)	Carr	Downing
Baker (DeKalb)	Burnham	Cates	Drake
Baker (Madison)	Camp	Cooper	Edgington
Bassett	Campbell (Jackson)	Crawford	Edwards (Escambia)
Blanton	Campbell (Tuscaloosa)	Daniel	Edwards (Lowndes)

Engel	Jones (Covington)	Owens	Slate
Fields	Jones (Monroe)	Paulk	Snell
Glass	Little	Pennington	Steagall
Goodwyn	McDermott	Pierce	Stembridge
Hain	Mashburn	Powell	Thomas
Harper	Merrill	Reynolds	Turner (Crenshaw)
Heflin	Moore	Rogers	Turner (Limestone)
Hogan	Nabors	Salter	Wood
Holladay	Nettles	Scurlock	Young

—60

FURTHER CONSIDERATION OF H. 405

H. 405. To amend Section 195, Title 46, Code of Alabama (1940), as amended, by providing an increase from ten dollars to thirty dollars for each day actually employed in the discharge of official duties as compensation to the members of the state board of optometry.

Was again taken up.

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the thirty-fifth legislative day, was laid upon the table.

Yeas 66; Nays 25.

Yeas:

Mr. Speaker	Cooper	Holladay	Rast
Albea	Crawford	Jones (Covington)	Reynolds
Baker (DeKalb)	Downing	Jones (Monroe)	Rogers
Baker (Madison)	Drake	Little	Salter
Bassett	Edington	McDermott	Scurlock
Blanton	Edwards (Escambia)	Mashburn	Slate
Bolton	Edwards (Lowndes)	Meade	Smith
Boston	Engel	Merrill	Snell
Burnham	Glass	Nabors	Steagall
Burns	Goldthwaite	NeSmith	Stembridge
Camp	Goodwyn	Nettles	Thomas
Campbell (Jackson)	Hain	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hannah	Paulk	Turner (Limestone)
Carr	Harper	Pennington	Turnham
Cates	Heflin	Pierce	Wood
Collins	Hester	Powell	Young
Cook	Hogan		

—66

Nays:

Messrs.	Brown (Tuscaloosa)	Grouby	Meeks
Avery	Callahan	Hankins	Morrow
Bailes	Cantrell	Hawkins	Perry
Bethea (B)	Davis	Ingram	Pruitt
Bowers	Doggett	Locke	Sessions
Branyon	Etheredge	Martin	Vacca
Brown (Jefferson)	Fite		

—25

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the thirty-fourth legislative day, was laid upon the table.

Yeas 62; Nays 27.

Yeas.

Mr. Speaker	Crawford	Holladay	Rast
Albea	Daniel	Jones (Covington)	Reynolds
Baker (DeKalb)	Downing	Jones (Monroe)	Rogers
Baker (Madison)	Drake	Little	Salter
Bassett	Edington	McDermott	Scurlock
Blanton	Edwards (Escambia)	Mashburn	Slate
Bolton	Engel	Merrill	Smith
Boston	Faulk	Nabors	Snell
Burnham	Glass	NeSmith	Steagall
Burns	Goldthwaite	Nettles	Stembridge
Camp	Goodwyn	Owens	Thomas
Campbell (Jackson)	Hain	Paulk	Turner (Crenshaw)
Carr	Hannah	Pennington	Turner (Limestone)
Cates	Harper	Pierce	Turnham
Cook	Heflin	Powell	Wood
Cooper	Hogan		

—62

Nays:

Messrs.	Brown (Jefferson)	Etheredge	Martin
Avery	Brown (Tuscaloosa)	Fite	Meeks
Bailes	Callahan	Grouby	Morrow
Bethea (B)	Cantrell	Hankins	Perry
Bethea (M)	Collins	Hawkins	Pruitt
Bowers	Davis	Hester	Sessions
Branyon	Doggett	Ingram	Vacca

—27

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the thirty-second legislative day, was laid upon the table.

Yeas 59; Nays 28.

Yeas:

Mr. Speaker	Cooper	Hogan	Rast
Albea	Crawford	Jones (Covington)	Reynolds
Baker (DeKalb)	Downing	Jones (Monroe)	Rogers
Baker (Madison)	Drake	Little	Salter
Bassett	Edington	McDermott	Scurlock
Blanton	Edwards (Escambia)	Mashburn	Slate
Bolton	Edwards (Lowndes)	Meade	Smith
Boston	Engel	Merrill	Steagall
Burnham	Faulk	Nabors	Stembridge
Burns	Glass	Nettles	Thomas
Camp	Goldthwaite	Owens	Turner (Crenshaw)
Campbell (Jackson)	Hain	Paulk	Turner (Limestone)
Carr	Hannah	Pennington	Turnham
Cates	Harper	Pierce	Wood
Cook	Heflin	Powell	

—59

Nays:

Messrs.	Callahan	Etheredge	Locke
Avery	Campbell (Tuscaloosa)	Fite	Martin
Bailes	Cantrell	Grouby	Meeks
Bethea (B)	Collins	Hankins	Morrow
Bethea (M)	Daniel	Hawkins	Perry
Bowers	Davis	Hester	Pruitt
Branyon	Doggett	Ingram	Vacca
Brown (Jefferson)			

—28

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the thirty-first legislative day, was laid upon the table.

Yeas 60; Nays 32.

Yeas:

Mr. Speaker	Crawford	Heflin	Powell
Albea	Daniel	Hogan	Rast
Baker (DeKalb)	Downing	Jones (Covington)	Reynolds
Baker (Madison)	Drake	Jones (Monroe)	Rogers
Bassett	Edington	Little	Salter
Blanton	Edwards (Escambia)	McDermott	Scurlock
Boston	Edwards (Lowndes)	Mashburn	Slate
Burnham	Engel	Meade	Smith
Burns	Faulk	Merrill	Steagall
Camp	Glass	Nabors	Stembridge
Campbell (Jackson)	Goldthwaite	Nettles	Thomas
Carr	Goodwyn	Owens	Turner (Crenshaw)
Cates	Hain	Paulk	Turner (Limestone)
Cook	Hannah	Pennington	Turnham
Cooper	Harper	Pierce	Wood

—60

Nays:

Messrs.	Brown (Tuscaloosa)	Fite	Martin
Avery	Callahan	Grouby	Meeks
Bailes	Campbell (Tuscaloosa)	Hankins	Morrow
Bethea (B)	Cantrell	Hawkins	NeSmith
Bethea (M)	Collins	Hester	Perry
Bolton	Davis	Holladay	Pruitt
Bowers	Doggett	Ingram	Sessions
Branyon	Etheredge	Locke	Vacca
Brown (Jefferson)			

—32

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the thirtieth legislative day, was laid upon the table.

Yeas 57; Nays 30.

Yeas:

Mr. Speaker	Crawford	Hogan	Powell
Albea	Daniel	Jones (Covington)	Rast
Baker (DeKalb)	Downing	Jones (Monroe)	Rogers
Baker (Madison)	Drake	Little	Salter
Bassett	Edington	McDermott	Scurlock
Blanton	Engel	Mashburn	Slate
Bolton	Faulk	Meade	Smith
Boston	Glass	Merrill	Steagall
Burnham	Goldthwaite	Nabors	Stembridge
Burns	Goodwyn	Nettles	Thomas
Campbell (Tuscaloosa)	Hain	Owens	Turner (Crenshaw)
Carr	Hannah	Paulk	Turner (Limestone)
Cates	Harper	Pennington	Turnham
Cook	Heflin	Pierce	Wood
Cooper			

—57

Nays:

Messrs.	Brown (Tuscaloosa)	Grouby	Moore
Avery	Callahan	Hankins	Morrow
Bailes	Camp	Hawkins	Perry
Bethea (B)	Cantrell	Hester	Pruitt
Bethea (M)	Collins	Ingram	Reynolds
Bowers	Davis	Locke	Sessions
Branyon	Doggett	Martin	Vacca
Brown (Jefferson)	Etheredge	Meeks	

—30

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the twenty-ninth legislative day, was laid upon the table.

Yeas 62; Nays 29.

Yeas:

Mr. Speaker	Cooper	Hogan	Powell
Albea	Crawford	Holladay	Reynolds
Baker (DeKalb)	Daniel	Jones (Covington)	Rogers
Baker (Madison)	Downing	Jones (Monroe)	Salter
Bassett	Drake	Little	Scurlock
Blanton	Edington	McDermott	Slate
Bolton	Edwards (Lowndes)	Mashburn	Smith
Boston	Engel	Meade	Snell
Burnham	Faulk	Merrill	Steagall
Burns	Glass	Nabors	Stembridge
Camp	Goldthwaite	Nettles	Thomas
Campbell (Jackson)	Goodwyn	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Paulk	Turner (Limestone)
Carr	Hannah	Pennington	Turnham
Cates	Harper	Pierce	Wood
Cook	Heflin		

—62

Nays:

Messrs.	Brown (Tuscaloosa)	Hankins	Morrow
Avery	Callahan	Hawkins	NeSmith
Bailes	Cantrell	Hester	Perry
Bethea (B)	Collins	Ingram	Pruitt
Bethea (M)	Davis	Locke	Rast
Bowers	Doggett	Meeks	Sessions
Branyon	Etheredge	Moore	Vacca
Brown (Jefferson)	Grouby		

—29

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the twenty-eighth legislative day, was laid upon the table.

Yeas 57; Nays 28.

Yeas:

Mr. Speaker	Blanton	Camp	Crawford
Albea	Bolton	Campbell (Jackson)	Daniel
Baker (DeKalb)	Brown (Tuscaloosa)	Carr	Downing
Baker (Madison)	Burnham	Cates	Drake
Bassett	Burns	Cook	Edington

Edwards (Escambia)	Hogan	Owens	Slate
Engel	Jones (Covington)	Paulk	Smith
Faulk	Jones (Monroe)	Pennington	Steagall
Glass	Little	Pierce	Stembridge
Goldthwaite	McDermott	Powell	Thomas
Goodwyn	Mashburn	Reynolds	Turner (Crenshaw)
Hain	Merrill	Rogers	Turner (Limestone)
Hannah	Nabors	Salter	Turnham
Harper	Nettles	Scurlock	Wood
Heflin			

—57

Nays:

Messrs.	Callahan	Grouby	Moore
Avery	Campbell (Tuscaloosa)	Hankins	Morrow
Bailes	Cantrell	Hawkins	Perry
Bethea (B)	Collins	Hester	Pruitt
Bethea (M)	Davis	Ingram	Rast
Bowers	Doggett	Martin	Sessions
Branyon	Etheredge	Meeks	Vacca
Brown (Jefferson)			

—28

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the twenty-seventh legislative day, was laid upon the table.

Yeas 59; Nays 30.

Yeas:

Mr. Speaker	Cooper	Hogan	Powell
Albea	Crawford	Holladay	Reynolds
Baker (DeKalb)	Downing	Jones (Covington)	Rogers
Baker (Madison)	Drake	Jones (Monroe)	Salter
Bassett	Edington	Little	Scurlock
Bolton	Edwards (Escambia)	McDermott	Slate
Boston	Engel	Mashburn	Smith
Bowers	Faulk	Meade	Steagall
Burnham	Glass	Merrill	Stembridge
Burns	Goldthwaite	Nabors	Thomas
Camp	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Hain	Owens	Turner (Limestone)
Carr	Hannah	Paulk	Turnham
Cates	Harper	Pennington	Wood
Cook	Heflin	Pierce	

—59

Nays:

Messrs.	Callahan	Hankins	Morrow
Avery	Cantrell	Hawkins	NeSmith
Bailes	Collins	Hester	Perry
Bethea (B)	Daniel	Ingram	Pruitt
Bethea (M)	Davis	McCorquodale	Rast
Branyon	Doggett	Martin	Sessions
Brown (Jefferson)	Etheredge	Meeks	Vacca
Brown (Tuscaloosa)	Grouby	Moore	

—30

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to

postpone further consideration of the bill, H. 405, until the twenty-sixth legislative day, was laid upon the table.

Yeas 59; Nays 28.

Yeas:

Mr. Speaker	Cook	Heflin	Powell
Albea	Cooper	Hogan	Reynolds
Baker (DeKalb)	Crawford	Jones (Covington)	Rogers
Baker (Madison)	Daniel	Jones (Monroe)	Salter
Bassett	Downing	Little	Scurlock
Blanton	Drake	McCorquodale	Slate
Bolton	Edington	McDermott	Smith
Boston	Edwards (Escambia)	Mashburn	Steagall
Brown (Tuscaloosa)	Engel	Merrill	Stembridge
Burnham	Glass	Nabors	Thomas
Burns	Goldthwaite	Nettles	Turner (Crenshaw)
Camp	Goodwyn	Owens	Turner (Limestone)
Campbell (Jackson)	Hain	Paulk	Turnham
Carr	Hannah	Pennington	Wood
Cates	Harper	Pierce	

—59

Nays:

Messrs.	Cantrell	Hankins	Moore
Avery	Collins	Hawkins	Morrow
Bailes	Davis	Hester	Perry
Bethea (B)	Doggett	Ingram	Pruitt
Bethea (M)	Etheredge	Martin	Rast
Branyon	Fite	Meade	Sessions
Brown (Jefferson)	Grouby	Meeks	Vacca
Callahan			

—28

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the twenty-fifth legislative day, was laid upon the table.

Yeas 58; Nays 28.

Yeas:

Mr. Speaker	Crawford	Holladay	Reynolds
Albea	Downing	Jones (Covington)	Rogers
Baker (DeKalb)	Drake	Jones (Monroe)	Salter
Baker (Madison)	Edington	Little	Scurlock
Bassett	Edwards (Escambia)	McCorquodale	Slate
Blanton	Engel	McDermott	Smith
Bolton	Faulk	Mashburn	Snell
Brown (Tuscaloosa)	Glass	Merrill	Steagall
Burnham	Goldthwaite	Nabors	Stembridge
Camp	Goodwyn	Nettles	Thomas
Campbell (Jackson)	Hain	Paulk	Turner (Crenshaw)
Carr	Hannah	Pierce	Turner (Limestone)
Cates	Harper	Powell	Turnham
Cook	Heflin	Rast	Wood
Cooper	Hogan		

—58

Nays:

Messrs.	Cantrell	Hankins	Meeks
Avery	Collins	Hawkins	Moore
Bailes	Davis	Hester	Morrow
Bethea (B)	Doggett	Ingram	Perry
Bethea (M)	Etheredge	Locke	Pruitt
Boston	Fite	Martin	Sessions
Branyon	Grouby	Meade	Vacca
Brown (Jefferson)			

—28

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the twenty-fourth legislative day, was laid upon the table.

Yeas 58; Nays 30.

Yeas:

Mr. Speaker	Cooper	Holladay	Reynolds
Albea	Crawford	Jones (Covington)	Rogers
Baker (DeKalb)	Downing	Jones (Monroe)	Salter
Baker (Madison)	Drake	Little	Scurlock
Bassett	Edington	McCorquodale	Slate
Blanton	Edwards (Escambia)	McDermott	Smith
Bolton	Engel	Mashburn	Snell
Boston	Faulk	Merrill	Steagall
Brown (Tuscaloosa)	Glass	Nabors	Stembridge
Burnham	Goodwyn	Nettles	Thomas
Camp	Hain	Owens	Turner (Crenshaw)
Campbell (Jackson)	Hannah	Paulk	Turner (Limestone)
Carr	Harper	Pierce	Turnham
Cates	Heflin	Powell	Wood
Cook	Hogan		

—58

Nays:

Messrs.	Collins	Hankins	Moore
Avery	Daniel	Hawkins	Morrow
Bailes	Davis	Hester	Perry
Bethea (B)	Doggett	Ingram	Pruitt
Bethea (M)	Etheredge	Locke	Rast
Branyon	Fite	Martin	Sessions
Brown (Jefferson)	Goldthwaite	Meade	Vacca
Cantrell	Grouby	Meeks	

—30

On motion of Mr. Turner (Crenshaw), the motion of Mr. Martin to postpone further consideration of the bill, H. 405, until the next legislative day, was laid upon the table.

Yeas 61; Nays 31.

Yeas:

Mr. Speaker	Blanton	Camp	Daniel
Albea	Bolton	Campbell (Jackson)	Dominick
Baker (DeKalb)	Boston	Carr	Downing
Baker (Madison)	Brown (Tuscaloosa)	Cook	Drake
Bassett	Burnham	Cooper	Edington
Bethea (M)	Burns	Crawford	Edwards (Escambia)

Edwards (Lowndes)	Holladay	Nettles	Smith
Engel	Jones (Covington)	Owens	Steagall
Faulk	Jones (Monroe)	Paulk	Stembridge
Glass	Little	Pierce	Thomas
Goodwyn	McCorquodale	Powell	Turner (Crenshaw)
Hain	McDermott	Reynolds	Turner (Limestone)
Hannah	Mashburn	Rogers	Turnham
Harper	Merrill	Scurlock	Wood
Heflin	Nabors	Slate	Young
Hogan			

—61

Nays:

Messrs.	Cates	Hankins	Moore
Avery	Collins	Hawkins	Morrow
Bailes	Davis	Hester	Perry
Bethea (B)	Doggett	Ingram	Pruitt
Branyon	Etheredge	Locke	Rast
Callahan	Fite	Martin	Salter
Campbell (Tuscaloosa)	Goldthwaite	Meade	Sessions
Cantrell	Grouby	Meeks	Vacca

—31

MOTION TO SUSPEND RULES LOST

The motion of Mr. Hester to suspend the rules in order to introduce local bills, and to take up for consideration the third reading of local bills was lost.

Yeas 49; Nays 46.

Yeas:

Messrs.	Camp	Grouby	Moore
Avery	Cantrell	Hankins	Morrow
Bailes	Casey	Hannah	NeSmith
Baker (DeKalb)	Cates	Hawkins	Perry
Bethea (B)	Collins	Hester	Pruitt
Bethea (M)	Davis	Ingram	Rast
Bolton	Doggett	McCorquodale	Sessions
Boston	Dominick	McDermott	Slate
Bowers	Edwards (Escambia)	Martin	Snell
Branyon	Edwards (Lowndes)	Mashburn	Teel
Brown (Jefferson)	Etheredge	Meade	Vacca
Brown (Tuscaloosa)	Fite	Meeks	Young
Callahan	Gilmore		

—49

Nays:

Mr. Speaker	Cooper	Goodwyn	Nabors
Albea	Crawford	Hain	Nettles
Baker (Madison)	Daniel	Harper	Paulk
Bassett	Downing	Heflin	Pierce
Blanton	Drake	Hogan	Powell
Burnham	Edington	Jones (Covington)	Reynolds
Campbell (Jackson)	Engel	Jones (Monroe)	Rogers
Campbell (Tuscaloosa)	Faulk	Little	Salter
Carr	Glass	Locke	Scurlock
Cook	Goldthwaite	Merrill	Smith

Steagall
Stembridge

Thomas
Turner (Limestone)

Turnham

Wood

—46

FURTHER CONSIDERATION OF H. 405

H. 405. To amend Section 195, Title 46, Code of Alabama (1940), as amended, by providing an increase from ten dollars to thirty dollars for each day actually employed in the discharge of official duties as compensation to the members of the state board of optometry.

Was again taken up.

And said bill, H. 405, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 23.

Yeas:

Mr. Speaker	Cates	Harper	Powell
Albea	Cook	Heflin	Reynolds
Baker (DeKalb)	Cornett	Hester	Rogers
Baker (Madison)	Crawford	Hogan	Salter
Bassett	Daniel	Jones (Covington)	Scurlock
Bethea (M)	Dominick	Jones (Monroe)	Slate
Blanton	Downing	Little	Smith
Boiton	Drake	McCorquodale	Snell
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Mashburn	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Meade	Teel
Burnham	Engel	Merrill	Thomas
Callahan	Faulk	Nabors	Turner (Crenshaw)
Camp	Glass	NeSmith	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Nettles	Turnham
Campbell (Tuscaloosa)	Goodwyn	Owens	Wood
Carr	Hain	Paulk	Young
Casey	Hannah	Pierce	

—71

Nays:

Messrs.	Cantrell	Hawkins	Morrow
Avery	Davis	Ingram	Perry
Bailes	Doggett	Locke	Pruitt
Bethea (B)	Etheredge	Martin	Rast
Branyon	Fite	Meeks	Sessions
Brown (Jefferson)	Hankins	Moore	Vacca

—23

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

H. 406. To amend Sections 210 and 211, Title 46, Code of Alabama (1940), as amended, which relates to the practice of optometry in stores or business establishments, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists.

Was taken up.

Mr. Hankins offered the following amendment to the bill, H. 406:

Amendment to H. B. 406

Strike out Section 2 of the bill and insert in lieu thereof the following:

Section 2. Section 211, Title 46, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 211. FALSE OR MISLEADING STATEMENTS IN ADVERTISEMENTS. - It shall be unlawful for any optometrist person, firm or corporation to print or cause to be printed, or circulate or cause to be circulated, or publish, by any means whatsoever, including radio and television, any advertisement or circular in which appears any untruthful, impossible, or improbable false or misleading statement or statements, or anything calculated or intended to mislead or deceive the public relative to optometry. The name of the duly licensed optometrist in charge must appear on any and all optometry advertising of any kind or character."

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Hankins was laid upon the table.

Yeas 56; Nays 33.

Yeas:

Mr. Speaker	Cooper	Holladay	Reynolds
Albea	Daniel	Jones (Covington)	Rogers
Baker (DeKalb)	Downing	Jones (Monroe)	Scurlock
Baker (Madison)	Drake	Little	Slate
Bassett	Edington	McCorquodale	Smith
Blanton	Edwards (Escambia)	Mashburn	Snell
Bolton	Engel	Merrill	Steagall
Boston	Faulk	Nabors	Stembridge
Burnham	Glass	Nettles	Teel
Burns	Goodwyn	Owens	Thomas
Campbell (Jackson)	Hain	Paulk	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hannah	Pennington	Turnham
Carr	Harper	Pierce	Wood
Cook	Hogan	Powell	Young

—56

Nays:

Messrs.	Cates	Heflin	NeSmith
Avery	Cornett	Hester	Perry
Bailes	Doggett	Ingram	Pruitt
Bethea (B)	Etheredge	Martin	Rast
Branyon	Fite	Meade	Salter
Brown (Jefferson)	Goldthwaite	Meeks	Sessions
Callahan	Grouby	Moore	Turner (Limestone)
Cantrell	Hankins	Morrow	Vacca
Casey	Hawkins		

—33

On motion of Mr. Turner (Crenshaw), the motion of Mr. Hankins to postpone further consideration of the bill, H. 406, until the twenty-fourth legislative day, was laid upon the table.

Yeas 61; Nays 34.

Yeas:

Mr. Speaker	Cooper	Hogan	Powell
Albea	Cornett	Holladay	Reynolds
Baker (DeKalb)	Daniel	Jones (Covington)	Rogers
Baker (Madison)	Downing	Jones (Monroe)	Slate
Bassett	Drake	Little	Smith
Bethea (M)	Edington	McCorquodale	Snell
Blanton	Edwards (Escambia)	McDermott	Steagall
Bolton	Engel	Mashburn	Stembridge
Boston	Faulk	Merrill	Teel
Burnham	Glass	Nabors	Thomas
Burns	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Hain	Owens	Turner (Limestone)
Campbell (Tuscaloosa)	Hannah	Paulk	Turnham
Carr	Harper	Pennington	Wood
Cates	Heflin	Pierce	Young
Cook			

—61

Nays:

Messrs.	Casey	Hankins	Morrow
Avery	Davis	Hawkins	NeSmith
Bailes	Doggett	Hester	Perry
Bethea (B)	Dominick	Ingram	Pruitt
Bowers	Etheredge	Locke	Rast
Branyon	Fite	Martin	Salter
Brown (Jefferson)	Gilmore	Meade	Sessions
Callahan	Goldthwaite	Meeks	Vacca
Cantrell	Grouby	Moore	

—34

Mr. Martin offered the following amendment to the bill, H. 406:

Amendment to H. B. 406

In the caption, strike out the words and figures “, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists”

Also, strike out Section 1 and insert in lieu thereof the following:

Section 1. Section 210, Title 46, Code of Alabama (1940), as amended, is amended further to read as follows:

“Section 210.- STORE WHERE GLASSES ARE SOLD - Nothing in this chapter shall be construed as to prevent any person, firm or corporation ~~owning or operating a store or business establishment, to rent or sublease space therein to be used for the examination and fitting of glasses and the operation of an optometric department; provided, that said space so occupied and operated as an optometric department shall be in charge of a duly licensed optometrist, whose name must appear on and in all optometry advertising of whatsoever nature done by said person, firm or corporation operating said optometric department in the leased or rented premises.~~”

Also, in Section 2, strike out the second paragraph and insert in lieu thereof the following:

“Section 211. - FALSE OR MISLEADING STATEMENTS IN ADVERTISEMENTS - It shall be unlawful for any optometrist person, firm or corporation to print or cause to be printed, or circulate or cause to be circulated, or publish, by any means whatsoever, including radio and tele-

vision, any advertisement or circular in which appears any untruthful, impossible, or improbably false or misleading statement or statements, or anything calculated or intended to mislead or deceive the public relative to optometry. The name of the duly licensed optometrist in charge must appear on any and all optometry advertising of any kind or character."

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Martin was laid upon the table.

Yeas 56; Nays 29.

Yeas:

Mr. Speaker	Crawford	Hogan	Rogers
Albea	Dominick	Holladay	Scurlock
Baker (DeKalb)	Downing	Jones (Covington)	Slate
Baker (Madison)	Drake	Jones (Monroe)	Smith
Bassett	Edington	Little	Snell
Blanton	Edwards (Escambia)	Mashburn	Steagall
Bolton	Engel	Merrill	Stembridge
Boston	Faulk	NeSmith	Teel
Burnham	Glass	Nettles	Thomas
Campbell (Jackson)	Goodwyn	Owens	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Paulk	Turner (Limestone)
Carr	Hannah	Pennington	Turnham
Cook	Harper	Pierce	Wood
Cooper	Heflin	Powell	Young

—56

Nays:

Messrs.	Casey	Hawkins	Meeks
Avery	Cornett	Hester	Morrow
Bailes	Doggett	Ingram	Perry
Bethea (B)	Etheredge	Locke	Pruitt
Branyon	Fite	McCorquodale	Rast
Brown (Jefferson)	Goldthwaite	Martin	Sessions
Callahan	Grouby	Meade	Vacca
Cantrell	Hankins		

—29

MOTION TO RECESS LOST

The motion of Mr. Perry that the House recess until 6:00 o'clock this evening was lost.

Yeas 32; Nays 59.

Yeas:

Messrs.	Casey	Harper	NeSmith
Avery	Collins	Hawkins	Perry
Bailes	Dominick	Hogan	Pruitt
Bethea (B)	Etheredge	Ingram	Rast
Bethea (M)	Fite	Locke	Salter
Bowers	Gilmore	Martin	Sessions
Branyon	Goldthwaite	Meade	Teel
Brown (Jefferson)	Hankins	Morrow	Vacca
Cantrell			

—32

Nays:

Mr. Speaker	Cooper	Hannah	Powell
Albea	Cornett	Heflin	Reynolds
Baker (DeKalb)	Crawford	Holladay	Rogers
Baker (Madison)	Daniel	Jones (Covington)	Scurlock
Bassett	Davis	Jones (Monroe)	Slate
Blanton	Doggett	Little	Smith
Bolton	Downing	McCorquodale	Snell
Boston	Drake	McDermott	Steagall
Burnham	Edwards (Escambia)	Mashburn	Stembridge
Callahan	Engel	Merrill	Thomas
Camp	Fields	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Glass	Owens	Turnham
Campbell (Tuscaloosa)	Goodwyn	Paulk	Wood
Carr	Grouby	Pennington	Young
Cates	Hain	Pierce	

—59

FURTHER CONSIDERATION OF H. 406

H. 406. To amend Sections 210 and 211, Title 46, Code of Alabama (1940), as amended, which relates to the practice of optometry in stores or business establishments, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists.

Was again taken up.

On motion of Mr. Turner (Crenshaw), the motion of Mr. Bailes to postpone further consideration of the bill, H. 406, until the twenty-fifth legislative day, was laid upon the table.

Yeas 51; Nays 24.

Yeas:

Mr. Speaker	Cooper	Hogan	Reynolds
Albea	Daniel	Jones (Covington)	Rogers
Baker (DeKalb)	Downing	Jones (Monroe)	Slate
Baker (Madison)	Drake	Little	Smith
Bassett	Edington	McDermott	Snell
Blanton	Edwards (Escambia)	Mashburn	Stembridge
Bolton	Engel	Merrill	Thomas
Boston	Faulk	Nettles	Turner (Crenshaw)
Burnham	Glass	Owens	Turner (Limestone)
Burns	Goldthwaite	Paulk	Turnham
Campbell (Tuscaloosa)	Hain	Pennington	Wood
Carr	Harper	Pierce	Young
Cook	Heflin	Powell	

—51

Nays:

Messrs.	Casey	Ingram	Perry
Bailes	Cornett	Locke	Pruitt
Bethea (B)	Doggett	Martin	Rast
Branyon	Etheredge	Meeks	Salter
Brown (Jefferson)	Hankins	Moore	Sessions
Callahan	Hawkins	Morrow	Vacca
Cantrell			

—24

Mr. Martin offered the following amendment to the bill, H. 406:

Amendment to H. B. 406

In Section 1, strike out "Section 210, Title 46, Code of Alabama (1940), as amended is hereby repealed" and insert the following:

Section 210, Title 46, Code of Alabama (1940), as amended, is amended further to read as follows:

"Section 210. Nothing in this chapter shall be construed as to prevent any store or business establishment which on January 1, 1963, operated an Optical Department in a store or business establishment which Optical Department was operated or maintained in charge of a duly licensed Optometrist, from continuing to operate said Optical Department in its present or future location; nor shall any licensed Optometrist be prohibited from owning, leasing or operating said optical department in a store or business establishment, and his license shall not be affected thereby. Provided that hereafter the store or business establishment shall have no financial interest in the optical department operated on the premises, except the collection of rents, and shall have no direction or control over the operation of the optical department, which shall be under the full charge and control of a licensed Optometrist as to methods of operation, decisions or results of optometric examinations. The store or business establishment shall not pass on the merits or qualifications of the licensed optometrist in charge, and said department shall be operated by a licensed optometrist. The name of the duly licensed Optometrist in charge must appear upon any and all optometry advertising, nor shall the license of any Optometrist be suspended or revoked by reason of his being in charge of the optical department or business establishment, or by reason of the use of his name in such advertising."

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Martin was laid upon the table.

Yeas 49; Nays 28.

Yeas:

Mr. Speaker	Downing	Holladay	Scurlock
Albea	Drake	Jones (Covington)	Slate
Baker (DeKalb)	Edwards (Escambia)	Jones (Monroe)	Smith
Baker (Madison)	Engel	Merrill	Snell
Bassett	Faulk	NeSmith	Stembridge
Blanton	Glass	Nettles	Teel
Bolton	Goodwyn	Owens	Thomas
Boston	Hain	Paulk	Turner (Crenshaw)
Burnham	Hannah	Pennington	Turner (Limestone)
Campbell (Tuscaloosa)	Harper	Pierce	Turnham
Carr	Heflin	Powell	Wood
Cook	Hogan	Reynolds	Young
Daniel			

—49

Nays:

Messrs.	Casey	Hester	Perry
Avery	Doggett	Ingram	Pruitt
Bailes	Etheredge	Locke	Rast
Bethea (B)	Goldthwaite	Martin	Rogers
Branyon	Grouby	Meeks	Salter
Brown (Jefferson)	Hankins	Moore	Sessions
Callahan	Hawkins	Morrow	Vacca
Cantrell			

—28

Mr. Martin offered the following amendment to the bill, H. 406:

Amendment to H. B. 406

In Section 1, strike out "Section 210, Title 46, Code of Alabama (1940), as amended is hereby repealed" and insert the following:

Section 210. Title 46, Code of Alabama (1940), as amended is amended further to read as follows:

"Section 210. Any person, firm or corporation owning, operating or maintaining a store or business establishment who prior to January 1, 1955, operated or maintained an optical department in such store or business establishment wherein eyes were examined and glasses fitted, shall be entitled to continue hereafter to operate or maintain such optical department in such store or business establishment and to examine eyes and fit glasses therein, in the present or in any changed or different location of such store or business establishment, provided such optical department shall be in charge of a duly licensed optometrist, and that the examination of eyes shall be done by a duly licensed optometrist; and nothing contained in this chapter shall be so construed as to prevent or prohibit the foregoing. Any such store or business establishment shall have the right to advertise in its corporate or business name said optical department and the examination of eyes, provided that the name of the licensed optometrist in charge shall appear in each such advertisement. No optometrist shall be denied a license, nor shall the license of any optometrist be suspended or revoked, by reason of his being in charge of the optical department in such store or business establishment."

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Martin was laid upon the table.

Yeas 55; Nays 26.

Yeas:

Mr. Speaker	Cook	Harper	Reynolds
Albea	Cooper	Hefflin	Rogers
Baker (DeKalb)	Daniel	Hogan	Scurlock
Baker (Madison)	Dominick	Jones (Covington)	Slate
Bassett	Downing	Jones (Monroe)	Smith
Blanton	Drake	McCorquodale	Snell
Bolton	Edington	Merrill	Stembridge
Boston	Edwards (Escambia)	Nabors	Teel
Burnham	Engel	Nettles	Thomas
Burns	Faulk	Owens	Turner (Crenshaw)
Callahan	Glass	Paulk	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Pennington	Wood
Campbell (Tuscaloosa)	Hain	Pierce	Young
Carr	Hannah	Powell	

—55

Nays:

Messrs.	Cantrell	Grouby	Moore
Avery	Casey	Hankins	Morrow
Bailes	Cates	Hawkins	Perry
Bethea (B)	Cornett	Ingram	Pruitt
Bowers	Doggett	Locke	Rast
Branyon	Edwards (Lowndes)	Martin	Vacca
Brown (Jefferson)	Fite	Meeks	

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Hester to suspend the rules in order to introduce local bills was lost.

Yeas 37; Nays 49.

Yeas:

Messrs.	Doggett	McDermott	Pruitt
Avery	Edwards (Lowndes)	Martin	Rast
Bailes	Etheredge	Mashburn	Reynolds
Baker (DeKalb)	Fite	Meeks	Rogers
Boston	Grouby	Moore	Salter
Callahan	Hankins	Morrow	Sessions
Cantrell	Hannah	NeSmith	Slate
Casey	Hawkins	Pennington	Teel
Cates	Ingram	Perry	Wood
Davis	McCorquodale		

—37

Nays:

Mr. Speaker	Cooper	Hain	Paulk
Albea	Daniel	Harper	Pierce
Baker (Madison)	Dominick	Heflin	Powell
Bassett	Downing	Hogan	Scurlock
Blanton	Drake	Holladay	Smith
Bolton	Edington	Jones (Covington)	Snell
Bowers	Edwards (Escambia)	Jones (Monroe)	Steagall
Branyon	Engel	Little	Stembridge
Burnham	Faulk	Locke	Thomas
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Vacca
Carr	Goodwyn	Owens	Young
Cook			

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FURTHER CONSIDERATION OF H. 406

H. 406. To amend Sections 210 and 211, Title 46, Code of Alabama (1940), as amended, which relates to the practice of optometry in stores or business establishments, by the repeal of provisions that permit the practice of optometry to be conducted by other than professional optometrists.

Was again taken up.

And said bill, H. 406, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 25.

Yeas:

Mr. Speaker	Boston	Cooper	Edwards (Lowndes)
Albea	Burnham	Crawford	Engel
Baker (DeKalb)	Callahan	Daniel	Faulk
Baker (Madison)	Camp	Dominick	Glass
Bassett	Campbell (Jackson)	Downing	Goodwyn
Bethea (M)	Carr	Drake	Hain
Blanton	Cates	Edington	Hannah
Bolton	Cook	Edwards (Escambia)	Harper

Hester	Merrill	Reynolds	Stembridge
Hogan	Nabors	Rogers	Teel
Holladay	NeSmith	Salter	Thomas
Jones (Covington)	Nettles	Scurlock	Turner (Crenshaw)
Jones (Monroe)	Owens	Slate	Turner (Limestone)
Little	Pennington	Smith	Wood
McCorquodale	Pierce	Snell	Young
Mashburn	Powell	Steagall	

—63

Nays:

Messrs.	Casey	Hawkins	Morrow
Avery	Cornett	Ingram	Perry
Bailes	Doggett	Locke	Pruitt
Bethea (B)	Etheredge	Martin	Rast
Bowers	Fite	Meeks	Sessions
Branyon	Grouby	Moore	Vacca
Cantrell	Hankins		

—25

And the bill:

H. 407. (With Amendment). To amend Sections 197, 199, 200 and 205, Title 46, Code of Alabama (1940), as amended, by providing for an increase from twenty-five dollars to one hundred dollars for examination for a license to practice optometry, and to increase the fee from thirty-five dollars to one hundred fifty dollars for issue of a license to an Optometrist coming from another state to this state, and for an increase from twelve dollars to not more than fifty dollars to renew annually the license to practice optometry.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on State Administration, said committee amendment being as follows:

Amend H. B. 407 in Section 1, in line 11, in the phrase "at least three years of study," strike out the word "three" and in lieu thereof insert the word "five".

And the amendment was adopted.

Yeas 72; Nays 8.

Yeas:

Mr. Speaker	Carr	Glass	Mashburn
Albea	Cates	Goodwyn	Meeks
Avery	Cook	Hain	Merrill
Bailes	Cornett	Hannah	Morrow
Baker (DeKalb)	Crawford	Harper	Nabors
Baker (Madison)	Daniel	Hawkins	NeSmith
Bassett	Davis	Heflin	Nettles
Bethea (M)	Doggett	Hogan	Owens
Bolton	Dominick	Holladay	Paulk
Boston	Downing	Ingram	Pierce
Burnham	Drake	Jones (Covington)	Powell
Burns	Edwards (Escambia)	Jones (Monroe)	Reynolds
Callahan	Edwards (Lowndes)	Little	Rogers
Camp	Engel	McCorquodale	Scurlock
Campbell (Jackson)	Faulk	McDermott	Sessions

Slate	Steagall	Thomas	Vacca
Snell	Stembridge	Turner (Crenshaw)	Wood
Smith	Teel	Turner (Limestone)	Young

—72

Nays:

Messrs.	Fite	Locke	Perry
Casey	Grouby	Martin	Pruitt
Etheredge			

—8

And said bill, H. 407, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 65; Nays 22.

Yeas:

Mr. Speaker	Daniel	Hogan	Powell
Albea	Dominick	Holladay	Reynolds
Baker (DeKalb)	Downing	Jones (Covington)	Rogers
Baker (Madison)	Drake	Jones (Monroe)	Salter
Bassett	Edington	Little	Scurlock
Blanton	Edwards (Escambia)	McCorquodale	Slate
Bolton	Edwards (Lowndes)	McDermott	Smith
Boston	Engel	Mashburn	Snell
Burnham	Faulk	Merrill	Steagall
Burns	Glass	Nabors	Stembridge
Callahan	Goldthwaite	NeSmith	Teel
Campbell (Jackson)	Goodwyn	Nettles	Thomas
Campbell (Tuscaloosa)	Hain	Owens	Turner (Crenshaw)
Carr	Hannah	Paulk	Turner (Limestone)
Cates	Harper	Pennington	Wood
Cook	Hester	Pierce	Young
Cornett			

—65

Nays:

Messrs.	Cantrell	Grouby	Perry
Avery	Casey	Hankins	Pruitt
Bailes	Davis	Ingram	Rast
Bethea (B)	Doggett	Locke	Sessions
Bowers	Etheredge	Martin	Vacca
Branyon	Fite	Morrow	

—22

And the bill:

H. 417. To amend Act No. 100, H. 94, Second Special Session 1959, entitled "An Act To raise revenue; levying a privilege or license tax against persons on account of certain business activities; prescribing the rate thereof and exemptions therefrom; superseding Article 10 of Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented," so as to provide an exemption from such taxes on sales of fuel and supplies for use or consumption on certain ships and towing vessels.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albea	Cook	Harper	Pennington
Avery	Cooper	Heflin	Perry
Bailes	Cornett	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Bassett	Doggett	Ingram	Rast
Bethea (B)	Dominick	Jones (Covington)	Reynolds
Bethea (M)	Downing	Jones (Monroe)	Rogers
Blanton	Drake	Little	Salter
Bolton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Slate
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Snell
Burnham	Fields	Meeks	Steagall
Callahan	Fite	Merrill	Teel
Camp	Glass	Moore	Thomas
Campbell (Jackson)	Goldthwaite	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turner (Limestone)
Carr	Grouby	NeSmith	Turnham
Casey	Hain	Nettles	Wood
Cates	Hankins	Owens	Young

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UNANIMOUS CONSENT GRANTED

Mrs. Fields requested unanimous consent to add her name as a co-author of the bill, H. 417, and it was so granted.

And the bill:

H. 333. An Act providing for the recovery of damages from the parents of minors under eighteen years of age for willful or malicious destruction of property; limiting the amount to Five Hundred and No/100 Dollars (\$500.00), but not limiting the liability of parents as the same may otherwise exist.

Was taken up.

The motion of Mr. Albea to indefinitely postpone the bill, H. 333, was lost.

Yeas 23; Nays 62.

Yeas:

Messrs.	Bolton	Daniel	Harper
Albea	Branyon	Davis	Heflin
Avery	Brown (Jefferson)	Downing	Holladay
Bassett	Camp	Edwards (Escambia)	Ingram
Bethea (B)	Campbell (Jackson)	Etheredge	McCorquodale
Blanton	Casey	Hain	Martin

—23

Nays:

Mr. Speaker	Bethea (M)	Burnham	Cates
Bailes	Boston	Burns	Collins
Baker (DeKalb)	Bowers	Carr	Cook

REGULAR SESSION

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Cooper	Hannah	Nabors	Scurlock
Cornett	Hester	NeSmith	Sessions
Crawford	Hogan	Nettles	Slate
Dominick	Jones (Covington)	Owens	Smith
Drake	Jones (Monroe)	Paulk	Snell
Edwards (Lowndes)	Little	Pennington	Steagall
Engel	Locke	Perry	Teel
Faulk	McDermott	Pierce	Thomas
Fite	Mashburn	Powell	Turner (Limestone)
Gilmore	Meeks	Pruitt	Vacca
Goldthwaite	Merrill	Rast	Wood
Goodwyn	Moore	Rogers	Young
Grouby	Morrow		

—62

And said bill, H. 333, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 25.

Yeas:

Mr. Speaker	Doggett	Hogan	Perry
Bailes	Dominick	Jones (Covington)	Pierce
Baker (DeKalb)	Drake	Jones (Monroe)	Powell
Bethea (M)	Edington	Little	Pruitt
Boston	Edwards (Lowndes)	Locke	Rast
Bowers	Faulk	McDermott	Rogers
Burnham	Fields	Mashburn	Sessions
Burns	Fite	Meeks	Slate
Callahan	Gilmore	Merrill	Smith
Campbell (Tuscaloosa)	Goldthwaite	Moore	Snell
Carr	Goodwyn	Nabors	Steagall
Cates	Grouby	NeSmith	Teel
Cook	Hannah	Nettles	Thomas
Cooper	Hawkins	Owens	Turner (Limestone)
Cornett	Heflin	Paulk	Vacca
Crawford	Hester	Pennington	Wood

—64

Nays:

Messrs.	Branyon	Davis	Holladay
Albea	Brown (Jefferson)	Downing	Ingram
Avery	Camp	Edwards (Escambia)	McCorquodale
Bassett	Campbell (Jackson)	Etheredge	Martin
Bethea (B)	Casey	Hain	Morrow
Blanton	Collins	Harper	Young
Bolton	Daniel		

—25

UNANIMOUS CONSENT GRANTED

Messrs. Owens, Drake, Powell and Slate requested unanimous consent to add their names as co-authors of the bill, H. 333, and it was so granted.

And the bill:

H. 516. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$200,000 for the purpose of financing the construction, reconstruction, alteration and improvement of school facili-

ties, including the construction and equipment of a gymnasium, for the Alabama Boys Industrial School.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Perry
Albea	Cooper	Hannah	Pierce
Avery	Cornett	Harper	Powell
Bailes	Crawford	Hogan	Pruitt
Baker (DeKalb)	Daniel	Holladay	Rast
Bassett	Davis	Ingram	Reynolds
Bethea (B)	Doggett	Jones (Covington)	Rogers
Bethea (M)	Dominick	Jones (Monroe)	Salter
Blanton	Downing	Locke	Scurlock
Bolton	Drake	McCorquodale	Sessions
Bowers	Edington	McDermott	Slate
Branyon	Edwards (Escambia)	Martin	Smith
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Snell
Burnham	Engel	Meeks	Steagall
Callahan	Etheredge	Merrill	Stembridge
Camp	Faulk	Morrow	Teel
Campbell (Jackson)	Fields	Nahors	Thomas
Campbell (Tuscaloosa)	Fite	NeSmith	Turner (Crenshaw)
Cantrell	Gilmore	Nettles	Turner (Limestone)
Carr	Glass	Owens	Vacca
Casey	Goldthwaite	Paulk	Wood
Cates	Goodwyn	Pennington	Young
Collins	Grouby		

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REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the Eighteenth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the Eighteenth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the Eighteenth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twentieth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the twentieth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twentieth legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-first legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Fite, the reading at length of the Journal of the House for the twenty-first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-first legislative day was approved.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 574. (With Amendments). To amend Section 787, Title 51, Code of Alabama, 1940, as amended, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or reconditioning tangible personal property for sale.

H. 575. (With Amendments). To amend Section 1, Act No. 100, Second Special Session 1959, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or reconditioning tangible personal property for sale.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 147. Relating to the office of solicitor of the Eighteenth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

H. 261. Relating to the compensation of circuit judges in Alabama.

H. 386. To amend further Section 388 of Title 51, Code of Alabama 1940, which relates to exemptions from state income tax; and to provide that the Act shall be given retroactive effect to December 31, 1962.

H. 542. To make an appropriation to the use of Cypress Creek Watershed Conservancy District for the promotion of public improvements.

H. 577. To fix the compensation of the director of the Legislative Reference Service; repealing conflicting laws.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and

ordered same returned to the House with a favorable report, (With Amendment), and it was read a second time and placed on the Calendar, to-wit:

H. 481. (With Amendment). To make an appropriation from the general fund in the state treasury to the use of the state department of conservation for the development of Noccalula Falls Park at Gadsden, Etowah County.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, (With Substitute), and it was read a second time and placed on the Calendar, to-wit:

H. 644. (With Substitute). To make an appropriation from the state treasury in aid of the annual fat stock show held at the Alabama state coliseum by FFA and 4-H clubs.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 697. To make an appropriation to the use of the agricultural center board for construction and equipment of an agricultural center facility in Pike County.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 68. To amend Act No. 544, S. 501, Regular Session 1957 (Acts 1957, p. 765), an act authorizing and relating to the joining of the agent, servant or employee as a defendant with the principal or master in certain civil actions, in relation to the time in which such actions may be brought.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 69. (With Amendment). To amend Code of Alabama 1940, Title 7, Section 26, which prescribes the time in which certain civil actions may be brought, so as to extend such time.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 410. To amend further Code of Alabama 1940, Title 11, Section 16, prescribing the pay and allowance of jurors on inquisitions of lunacy.

H. 527. To define the corporate status of production credit associations organized under the laws of the United States and provide the method of taxation of such associations.

H. 537. Relating to the Sixteenth Judicial Circuit; providing for an additional circuit court judge in such circuit.

H. 581. To provide Supernumerary Circuit Solicitors of the State; to provide the conditions under which a Solicitor of the Circuit Court may become a Supernumerary Circuit Solicitor; to prescribe the qualifications,

tenure in office, duties, powers, authority, compensation and the method of removal from office of such Supernumerary Circuit Solicitor and to appropriate funds for the payment of such compensation.

H. 582. To provide for the punishment of an Attempt to Commit Burglary in the First Degree, Burglary in the Second Degree, Burglary in a Railroad Car and Burglary of a Motor Vehicle.

H. 584. To amend Section 124 of Title 14 of the Code of Alabama of 1940.

H. 586. To amend Section 415 of Title 14 of the Code of Alabama 1940.

H. 587. To amend Section 240 of Title 13 of the Code of Alabama 1940.

H. 588. To amend Section 33 of Title 14 of the Code of Alabama 1940.

H. 589. To amend Section 85 of Title 14, Code of Alabama 1940.

H. 590. To amend Section 331 of Title 14 of the Code of Alabama 1940.

H. 591. To amend Section 334 of Title 14 of the Code of Alabama 1940.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 599. (With Substitute). To amend Section 186, Subsection E (12) of Title 26 of the Code of Alabama of 1940 as last amended so as to exempt from the operation under said code section the proprietors or operators of barber shops and their employees.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 609. Relating to civil remedies and procedures; to provide further for the filing, and for the service of pleadings and other papers upon opposing parties or upon their counsel, in civil actions.

H. 628. To provide for the adoption of adults, and to validate or confirm certain prior adoption proceedings.

H. 699. To provide for and authorize the introduction in evidence in any court in Alabama, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-Rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and dura-

tion thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the filing of said copy with the Clerk or Register of the Court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 353. (With Amendments). To establish minimum wages in Alabama; and to provide penalties for violation of the Act.

Mr. Goldthwaite, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 593. Relating to insurance and to the insurance business, to regulate the capital and surplus requirements of domestic, foreign or alien insurance companies, to provide for deposits with the State Treasurer by domestic mutual insurers, and to prescribe the conditions on which persons, firms, corporations and associations may engage or continue to engage in the insurance business of this state.

Mr. Meeks, Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 351. To adopt the Vehicle Equipment Safety Compact for the State of Alabama to insure maximum vehicle safety in the State of Alabama and her sister states; to designate the director of public safety as a member of the Vehicle Equipment Safety Commission thereby created; to prescribe the procedure for adopting recommendations of the Commission; to implement the provisions of the compact; and repealing conflicting provisions.

H. 73. Prohibiting the sale of regrooved tires for motor vehicles or motorcycles and prescribing the punishment for violation of this act.

H. 332. To amend Act No. 68, H. 61, Second Special Session 1959, an act providing for the issuance of distinctive motor vehicle license plates or tags to duly constituted consular officials.

H. 447. Relating to the licensing of motor vehicles in the State of Alabama; prohibiting any person, firm, corporation or association from operating on or along the public highways of the State of Alabama any motor vehicle not bearing the vehicle license required by the laws of the State of Alabama for the particular type of vehicle, providing that such vehicular license shall be purchased or otherwise obtained in the proper county as defined in this Act; and to prescribe penalties for the violation hereof.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following

bill and ordered same returned to the House with a favorable report with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 203. (With Substitute). Relating to highways; providing for safety stripes along the center of state, interstate and county highways.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 545. Relating to counties; to provide for coverage under the Unemployment Compensation Act of certain county employees.

H. 546. To amend Section 225, Title 26, Code of Alabama 1940, as amended, dealing with elections to be subject to the State Unemployment Compensation Law.

H. 602. To authorize the governing body of any county to create a county planning commission; to permit members of the county governing body, including its presiding officer, to serve on a county planning commission; to provide for the organization, powers, jurisdiction, personnel, and financial and legal status of such commissions; to authorize counties to adopt regulations for the subdivision of land within the county, and to provide for their administration through a county planning commission; to authorize counties to divide the county into districts and within such districts regulate the use of land, the height, bulk, and use of buildings, the density of population; to provide for county boards of zoning adjustment and define the authority, powers, and functions of such boards, and the procedure and appeals from their decisions; to provide remedies in the enforcement of resolutions and regulations made by counties under the authority of this act; to provide for penalties for violations thereof; and to provide for counties and municipalities to join with other counties or municipalities to create a joint planning commission.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 268. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House without recommendation, and it was read a second time and placed on the Calendar, to-wit:

H. 469. (Without Recommendation). To repeal Act No. 4, H. 62, Second Special Session 1956 (Acts 1956, p. 240) relating to the powers of municipalities in this state having a population of not less than 23,000 nor more than 100,000, according to the last or any subsequent federal census.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 670. To amend further Section 8 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505) which act established the Board of Revenue and Control of Chilton County; providing for the nomination of each associate member by the authorized voters of the entire county.

H. 684. Proposing a constitutional amendment relating to Marion County.

The above bill was read a second time at length as required by the Constitution.

H. 695. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

H. 696. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of salaries and expense allowances to members of the county board of education.

H. 698. To alter, rearrange and extend the boundaries and corporate limits of the town of Springville, St. Clair County, Alabama, so as to annex certain territory to the town.

H. 702. To amend Section 2 of Act No. 139, H. 90, First Special Session 1956, an act relating to the office of circuit solicitor of the thirty-first judicial circuit of Alabama.

S. 241. To further amend Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of the judge of probate of Madison County, providing for an increased appropriation of county funds for the operation of such office and authorizing an additional contingent appropriation therefor.

S. 123. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 675. To amend further Act No. 452, H. 974, Regular Session 1955 (Acts 1955, p. 1004), relating to the establishment of a mayor-council form of municipal government in cities having populations of more than 200,000.

H. 676. To apply in counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide further for the duties and authority of the judge of probate and the county commission or county governing body of such county; to regulate further the Probate Court and the offices of the Judge of Probate in such counties; to prescribe further the manner of keeping records and recording documents, instruments and paper; to authorize and permit the use of photograph machines for recording documents and papers, and for preserving such on film and microfilm; to direct the discontinuance of keeping copies or prints or records in large and well-bound books, and to permit the storing or destruction of such books or records after photographing or reproducing the same on film records; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books", and to provide the manner of keeping records of the Probate of wills; to provide further the manner of entering partial or full satisfaction of the record of any mortgage lien or other instrument; to authorize the judge of probate to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to make inapplicable in-

sofar as said counties are concerned, the provisions of Section 280 of Title 13, Code of Alabama, 1940, as amended, and to amend and repeal all laws or parts of law inconsistent with or in conflict with this act.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 499. (With Amendment). To permit the Governing Body of Mobile County to establish a Board of Recreation for the supervision and management of recreational programs and facilities within the County, defining the duties and authority of such Board, and authorizing appropriations therefor and donations thereto.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 236. Proposing an amendment to the Constitution regulating the power of municipalities of Mobile County to levy certain privilege license taxes.

The above bill was read a second time at length as required by the Constitution.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown, and as amended, has passed the following House Bill and returns same herewith to the House:

H. 364. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the retirement of all outstanding revenue securities heretofore issued by said department, for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the state; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to authorize said department, with the approval of the Governor, to issue refunding bonds for the purpose of refunding any bonds issued hereunder, paying any premium necessary to redeem or retire the bonds to be refunded, and paying any expenses of issuing the refunding bonds; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said department; to designate the revenues from which the principal of and the interest on bonds issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the department to invest in direct obligations of the United States of America any funds available for the purpose of retiring any bonds issued hereunder and said outstanding revenue securities; to provide for the

retirement of such outstanding revenue securities and such bonds by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that bonds issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said department while any said bonds are outstanding.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Engel the House concurred in and adopted the Senate substitute for the bill, H. 364, said Senate substitute being as follows:

SUBSTITUTE FOR H.B. 364

A BILL TO BE ENTITLED AN ACT

To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the refunding and retirement of outstanding revenue securities heretofore issued by said Department, for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds are hereafter authorized by the Legislature of Alabama; to provide for the details of bonds issued hereunder, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$1,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the Department to invest in direct obligations of the United States of America any funds available for the purpose of retiring said outstanding revenue securities; to provide for the retirement of such outstanding revenue securities by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes is-

sued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Be it enacted by the Legislature of Alabama:

Section 1. Definitions. When used in this Act, unless the context plainly indicates otherwise, the present tense shall include the future tense, the singular shall include the plural, the plural shall include the singular, and the following words and phrases shall have the meanings respectively ascribed to them by this section:

"Additional parity bonds" means any bonds that may be hereafter authorized by subsequent legislation, and that are issued by the Department and secured on a parity of lien with all bonds, pursuant to any privilege reserved by the Department under the provisions of Section 4 of this Act.

"Bonds", when not preceded by any of the words "new" or "additional parity", means and includes new bonds and additional parity bonds.

"Combined system" means all seaport facilities of the Department now or hereafter acquired, and includes but is not limited to intangible properties, contracts, franchises, leases, and choses in action in connection with such seaport facilities, and all extensions, improvements and additions thereto.

"Department" means the Alabama State Docks Department established by Act No. 103 adopted at the Regular Session of 1955 of the Legislature of Alabama, and any department or agency of the State that may succeed to the functions of said Alabama State Docks Department.

"Director" means the Director of the Department or any official that may succeed to his duties.

"Governor" means the Governor of the State.

"New bonds" means the bonds authorized in Section 3 hereof.

"New system" means those portions of the combined system heretofore or hereafter acquired as follows: those seaport facilities of the Department acquired prior to June 1, 1963, pursuant to lease agreements with the City of Mobile, Alabama; and those seaport facilities of the Department acquired in whole or in part with proceeds from notes, new bonds or additional parity bonds, or outstanding revenue securities, or revenue securities heretofore refunded in whole or in part by outstanding revenue securities.

"Notes" means notes issued hereunder.

"Old system" means those portions of the combined system not included in the new system, and includes all seaport facilities hereafter acquired which are not part of the new system.

"Order" means an order made by the Director and approved by the Governor.

"Outstanding revenue securities" means any outstanding revenue securities issued by the Department prior to the effective date of this Act.

"Seaport facility" means any improvements, including any real or personal property, structure, or facility used or useful in promoting, developing, constructing, maintaining or operating seaports within the State.

"Secretary-Treasurer" means the secretary-treasurer of the Department, or any person that may succeed to or perform the duties of said secretary-treasurer.

"State" means the State of Alabama.

"United States" means the United States of America.

"United States securities" means securities that are direct obligations of the United States.

Section 2. Declaration of Legislative Intent. The object of this Act is to provide funds for the construction, improvement and equipment of additional seaport facilities, and to put the Department in a position to take advantage of such favorable market for public securities as may develop by providing for the refunding and retirement of outstanding revenue securities. This Act shall be liberally construed in order to effectuate its object.

Section 3. Power to Issue New Bonds. Subject to the provisions of this Act, the Department, with the approval of the Governor, may from time to time and at any time sell and issue new bonds, not exceeding \$10,000,000 in aggregate principal amount, for the following purposes: (a) to pay the reasonable and necessary expenses of issuing the new bonds, including such reasonable fees of agents and attorneys as the Department may determine to be necessary; (b) to provide funds for the construction, improvements and equipment of additional seaport facilities at a cost not exceeding \$3,000,000, provided that a part of such sum not exceeding \$1,000,000 may be used to repay or fund any notes that may have been issued by the Department since July 1, 1963 in evidence of temporary loans made to it for the construction and equipment of additional seaport facilities; and (c) to refund and provide for the retirement of all or such part of the outstanding revenue securities as the Director with the approval of the Governor shall determine will be advantageous, for which purpose not exceeding \$7,000,000 of the proceeds of the new bonds may be used. Proceeds from the new bonds shall be deemed to be applied for the refunding and retirement of outstanding revenue securities, within the contemplation of clause (c) of this section, not only if such proceeds are applied directly for that purpose but also if they are deposited in one or more irrevocable trust funds established pursuant to Section 12 hereof which, with the interest to be paid by the United States on any such United States securities, will be sufficient to effect retirement, by payment of principal, interest and any necessary redemption premiums, of those of the outstanding revenue securities that the Director with the approval of the Governor shall determine will be advantageous.

Section 4. Additional Parity Bonds May be Hereafter Authorized. In any order under which new bonds may be issued the Department may reserve the privilege of issuing, upon compliance with such conditions as may be specified in said order, additional parity bonds, secured on a parity of lien with the bonds at any time outstanding; provided that no additional parity bonds shall be issued pursuant to any such reserved privilege unless such additional parity bonds shall have been authorized by the Legislature of Alabama. Additional parity bonds so issued shall be payable out of the same revenues as the bonds, and shall be secured by a pledge of the revenues herein authorized to be pledged for the bonds on a parity with all pledges of said revenues for the benefit of the bonds theretofore and thereafter issued. The limitation set forth in Section 3 hereof on the principal amount of bonds that may be issued pursuant to that section shall not apply to additional parity bonds.

Section 5. Temporary Loans. The Department, with the approval of the Governor, may from time to time issue its interest-bearing notes not

exceeding \$1,000,000 in aggregate principal amount, to mature not later than six months from the date of their issuance, and to be executed in the same manner that bonds are hereinafter in Section 7 authorized to be executed. Such notes may be sold at public sale as the Department may direct, and shall be repayable solely from the revenues which the Department is herein authorized to pledge for payment of its bonds, and also from the proceeds of any securities that may subsequently be issued to retire or fund such notes.

Section 6. Details Respecting the Bonds. The bonds may be issued in one or more series, shall be in such forms and denominations and of such tenor, shall mature in annual installments the first of which shall mature not later than one (1) year and the last of which shall mature not later than twenty (20) years from their respective dates, provided that the largest installment of principal and interest maturing thereon in any one year shall not exceed twice the preceding smallest installment of principal and interest maturing in any prior year, shall bear such rate or rates of interest payable and evidenced in such manner, all as may be provided in the order or orders of the Director wherein any of the bonds are authorized to be issued; provided, that no such order shall be valid without the written approval of the Governor. Said order or orders may provide for any or all of the following: the use and disposition of the revenues of the Department; the setting aside of reserves for the bonds; the disposition and administration of any such revenues and reserves; the order in which the bonds shall be payable; limitations on the purpose or purposes to which the proceeds of sale of any of the bonds may be applied; the procedure, if any, by which the terms of any contract with the holders of any such bonds may be amended or abrogated; the amount of bonds the holders of which must consent to such amendment or abrogation; the manner in which such consent may be given; and any other provisions not inconsistent with this Act. The Department shall have the power to prescribe, in the order under which the first series of the bonds are issued, the terms and conditions under which bonds may thereafter be issued for the purposes described in Section 4 of this Act. The Department may at its election retain in the order or orders under which any of the bonds are issued an option to redeem all or any thereof at such redemption price or prices and after such notice or notices and on such terms and conditions as may be set forth in said order or orders and as may be briefly recited in the face of the bonds with respect to which such option of redemption is retained. Any of the bonds having stated maturities more than five years after the date thereof shall be made subject to redemption at the option of the Department not later than the end of the fifth year after the date thereof and on any interest payment date thereafter, under such terms and conditions as may be provided in the order or orders authorizing the issuance of such bonds. The redemption price or prices of bonds shall not exceed the principal amount thereof plus any unpaid interest thereon to the date fixed for redemption, plus a premium which shall not exceed twelve (12) months' interest thereon.

Section 7. Execution of the Bonds. The bonds shall be issued in the name of the Department and shall be signed by the Director, and the seal of the Department shall be impressed thereon and attested by the Secretary-Treasurer, and all interest coupons applicable to the bonds shall be signed by the Director; provided, that the signature of one, but not of both, of said officers may be printed or otherwise reproduced in facsimile on any of the bonds in lieu of their being manually signed, the signature of the Director may be printed or otherwise reproduced in facsimile on the interest coupons in lieu of their being manually signed, and the seal of the Department may be printed or otherwise reproduced in facsimile on the bonds in lieu of being manually impressed thereon, all as may be provided in the order under which the bonds are issued.

Section 8. Sale of the Bonds. Any of the bonds may be sold at any time and from time to time as the Director, with the approval of the Gover-

nor, may deem advantageous. The bonds must be sold only at public sale, either on sealed bids or at public auction, to the bidder whose bid reflects the lowest net interest cost to the Department for the bonds being sold, computed from the date of those at the time being sold to their respective maturities; provided, that if no bid acceptable to the Department is received, it may reject all bids. Notice of each such sale shall be given by publication in either a financial journal or a financial newspaper published in the City of New York, New York, and also by publication in a newspaper then published in the State and which is customarily published not less than five days during each calendar week, each of which notices must be published one time not less than ten days prior to the date fixed for the sale. The terms and conditions under which each such sale may be held shall be fixed in an order; provided, that none of the bonds may be sold for a price less than the face value thereof plus accrued interest thereon to the date of their delivery; and provided further, that such terms and conditions shall not conflict with any of the requirements of this Act. Approval by the Governor of the terms and conditions under which any of the bonds may be issued shall be requisite to their validity. Such approval shall be entered on the order by which the bonds proposed to be issued are authorized, which shall be signed by the Governor. Such approval by the Governor may be shown on any series of the bonds by a facsimile of his signature printed or otherwise reproduced thereon when authorization of such action is contained in the said approval signed by him. Neither a public hearing nor consent by the Department of Finance of the State or any other department or agency shall be a prerequisite to the issuance of any of the bonds.

Section 9. Bonds and Notes to be Limited Obligations; Pledge Therefor. The bonds and notes shall never be or constitute a debt of the State within the meaning of any constitutional provisions, and neither the faith nor the credit of the State shall ever be pledged or utilized therefor. The bonds and notes shall not be general obligations of the State or of the Department, but shall be payable solely out of revenues of the Department as herein provided. So long as any of the bonds or notes shall remain outstanding no part of the gross revenues from the new system shall be credited to or paid into the sinking fund for the Harbor Improvement Bonds of the State heretofore issued, or used to pay the expenses of administering the Department or operating or maintaining the old system. So long as any of the bonds or notes remain outstanding, the expenses of operating the new system shall be paid out of the gross revenues from the old system remaining after providing for payment therefrom of (a) the amounts required to be paid during the then current fiscal year into the sinking fund for the said Harbor Improvement Bonds, (b) the reasonable and necessary expenses payable during the then current fiscal year of administering the Department and maintaining and operating the old system, and (c) obligations payable by the Department during the then current fiscal year under valid leases at the time in effect and other than valid commitments of the Department, and to the extent the said remaining revenues from the old system shall not be sufficient in any fiscal year to pay the operating expenses of the new system, the said operating expenses of the new system shall be paid out of the gross revenues from the new system remaining after providing for payment of the principal and interest maturing on the bonds and notes during the same fiscal year. The principal of and interest on the bonds and notes shall be payable out of the gross revenues from the new system and, if the gross revenues from the new system should during any fiscal year be insufficient to pay at their respective maturities the principal of and interest on the bonds and notes, the said principal and interest shall be payable out of the aforesaid gross revenues from the old system remaining after providing for the items referred to in clauses (a), (b), and (c) of the preceding sentence. Any order authorizing the issuance of bonds or notes may pledge for payment of the principal thereof and interest thereon the revenues out of which they are payable.

Section 10. Notice of Order Authorizing Issuance of Bonds. Upon the entry of any order providing for the issuance of bonds, the Department may, in the discretion of the Director, cause to be published once a week for two consecutive weeks, in a newspaper that is customarily published in the State not less than five days in each calendar week, a notice in substantially the following form (the blanks being properly filled in), to be signed with the printed signature of the Director: "Alabama State Docks Department, an agency of the State of Alabama, on the ____ day of _____, 19____, made an order providing for the issuance of \$_____ principal amount of bonds of the Department for the following purpose or purposes: (Here shall be inserted a brief and general description of the purpose of the issue). Said bonds are payable solely from revenues of the Department as described in said order. Any action or proceeding questioning the validity of said order or of the said bonds, or the pledge or any instruments securing said bonds, must be commenced within twenty days after the first publication of this notice. _____, Director of Alabama State Docks Department." Any action or proceeding in any court to set aside or question the order for the issuance of the bonds referred to in said notice or to contest the validity of any such bonds or the validity of the pledge and any instruments made to secure such bonds must be commenced within twenty days after the first publication of such notice. After the expiration of the said period no right of action or defense questioning or attacking the validity of the said order, the said bonds or the said pledge or instruments shall be asserted, nor shall the validity of the said order, bonds, pledge or instruments be open to question in any court on any ground whatsoever except in an action commenced within such period.

Section 11. The Bonds and Notes and the Income Thereon Exempt from Taxation; the Bonds and Notes shall be Deemed Negotiable, and May be Used to Secure Deposits and for Investment of Fiduciary Funds. The bonds and the notes and the income therefrom shall be exempt from all taxation in the State. The bonds and the notes, when unregistered, shall be construed to be negotiable instruments although payable solely from a specified source as herein provided. Any of the bonds and notes may be used by the holder thereof as security for the deposit of any funds belonging to the State or to any instrumentality or agency of the State in any instance where security for such deposits may be required by law. Unless otherwise directed by the court having jurisdiction thereof, or by the document that is the source of authority, a trustee, executor, administrator, guardian, or one acting in any other fiduciary capacity may, in addition to any other investment powers conferred by law, invest trust or any fiduciary funds in any of the bonds and notes.

Section 12. Provisions for retirement of the Bonds and Outstanding Revenue Securities; Authorization to Invest in United States Securities for that Purpose. The Department may, in the discretion of the Director, provide for the retirement of outstanding revenue securities refunded hereunder by investing in United States securities, pending any date or dates on which such retirement can be consummated, proceeds of new bonds issued for that purpose, and also any other available funds of the Department including reserves or other special funds applicable to the outstanding revenue securities to be retired. The Department may provide for any such retirement by depositing cash or United States securities, or both, in one or more irrevocable trust funds, may enter into one or more irrevocable trust agreements with a corporate trustee for the administration of such trust funds and the use of all or any part of the interest income thereon to

effect such retirement, and may pay reasonable compensation to such trustee thereunder. The Secretary-Treasurer may purchase United States securities, make such deposit of cash or United States securities or both, and take all other actions necessary to carry out the provisions of any order providing therefor.

Section 13. Severability Clause. In the event any section, sentence, clause or portion of this Act should be declared invalid by any court of competent jurisdiction, such invalidity shall not affect the validity of any of the remaining sections, sentences, clauses or portions of this Act, which shall continue effective.

Section 14. Effective Date. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming law.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Nettles
Albea	Cooper	Hannah	Pennington
Avery	Crawford	Harper	Pierce
Bailes	Daniel	Heflin	Powell
Baker (BeKallb)	Davis	Hester	Reynolds
Bassett	Doggett	Hogan	Rogers
Blanton	Downing	Ingram	Scurlock
Bolton	Drake	Jones (Covington)	Sessions
Boston	Edwards (Escambia)	Jones (Mooros)	Snell
Bowers	Engel	Locke	Steagall
Brown (Jefferson)	Etheredge	McCorquodale	Stembridge
Burnham	Faulk	McDermott	Thomas
Camp	Fields	Martin	Turner (Limestone)
Campbell (Jackson)	Fite	Mashburn	Turnham
Cantrell	Gilmore	Meeks	Vacca
Carr	Glass	Moore	Wood
Casey	Grouby	Nabors	Young
Collins			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 89. To regulate the compensation and allowances of members of the board of education of Marshall County and provide for the payment thereof.

Also:

S. 110. Relating to counties having populations of not less than 24,800 nor more than 25,400; to regulate the compensation of the superintendent of education of such counties.

Also:

S. 119. To amend Section 2 of Act No. 114, H. 159, Special Session 1962, providing for compensation and expense allowances for members of the county board of education of counties of not less than 46,600 nor more than 49,050 population, so as to fix the mileage allowance for authorized travel of members at eight cents per mile.

J. E. SPEIGHT,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 29. Mourning the death of the Honorable Jesse Earl Speight, Secretary of Senate.

NELL W. RUFFER,
Assistant Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

DEDICATED
TO THE
MEMORY OF
HONORABLE JESSE EARL SPEIGHT

Secretary of the Senate of Alabama

1923 - 1963

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 182. To amend further Code of Alabama 1940, Title 36, Sections 60 and 61, in relation to the amount of the license payable by motor vehicle operators.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the House concurred in and adopted Senate Amendment No. 1 to the bill, H. 182, said Senate amendment being as follows:

Amendment No. 1 to H.B. 182

Amend Section 2 of H. B. 182 by amending the sentence in said Section, beginning with the words "Two-fifths" and ending with the word "county," so as to read as follows:

"Two-fifths of each twenty-five cents retained by the probate judge shall be for his own use, and no other or further charge shall be made by him for services rendered in taking or receiving applications or issuing permits; provided however this provision shall not repeal any local statutes nor general statutes of local application contrary to this provision; the remaining three-fifths shall be paid into the public highway and traffic fund of the county."

Yeas 55; Nays 12.

Yeas:

Mr. Speaker	Crawford	Hannah	Paulk
Avery	Downing	Harper	Powell
Baker (DeKalb)	Drake	Heflin	Reynolds
Bassett	Edwards (Escambia)	Hester	Rogers
Bethea (M)	Edwards (Lowndes)	Hogan	Scurlock
Blanton	Engel	Jones (Covington)	Smith
Bowers	Faulk	Jones (Monroe)	Snell
Burnham	Fields	Locke	Steagall
Burns	Fite	McCorquodale	Stembridge
Cantrell	Gilmore	McDermott	Turnham
Carr	Goldthwaite	Martin	Vacca
Cook	Goodwyn	NeSmith	Wood
Cooper	Grouby	Nettles	Young
Cornett	Hain	Owens	

—55

Nays:

Messrs.	Casey	Ingram	Rast
Bailes	Cates	Morrow	Sessions
Bolton	Etheredge	Perry	Teel
Brown (Jefferson)			

—12

On motion of Mr. Fite the House concurred in and adopted Senate amendment No. 2 to the bill, H. 182, said Senate amendment being as follows:

Amendment No. 2 to H.B. 182, as amended

Amend Section 2 of H. B. 182 by inserting at the end of the third sentence the following words and figures

“, provided however that said report shall be prepared on the twentieth day of October, November and December.”

Yeas 55; Nays 12.

Yeas:

Mr. Speaker	Crawford	Harper	Pierce
Albea	Downing	Hefflin	Powell
Baker (DeKalb)	Drake	Hester	Reynolds
Bassett	Edwards (Escambia)	Hogan	Rogers
Bethea (M)	Edwards (Lowndes)	Jones (Covington)	Smith
Blanton	Engel	Jones (Monroe)	Snell
Bowers	Faulk	Locke	Steagall
Burnham	Fields	McCorquodale	Stembridge
Camp	Fite	McDermott	Thomas
Cantrell	Glass	Martin	Turnham
Carr	Goodwyn	Moore	Vacca
Cook	Grouby	Nettles	Wood
Cooper	Hain	Owens	Young
Cornett	Hannah	Paulk	

—55

Nays:

Messrs.	Casey	Ingram	Rast
Bailes	Collins	Morrow	Sessions
Bolton	Etheredge	Perry	Teel
Brown (Jefferson)			

—12

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House.

H. 288. To make an appropriation from the state treasury to the use of the Department of Public Safety for emergency purposes.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the House concurred in and adopted the Senate substitute for the bill, H. 288, said Senate substitute being as follows:

SUBSTITUTE FOR H.B. 288

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the State Treasury to the use of the Department of Public Safety and Conservation and the Alcoholic Beverage Control Board.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of Two Hundred Fifty Thousand Dollars (\$250,000), or so much thereof as may be necessary, is hereby appropriated from any funds in the State Treasury not otherwise appropriated to the use of the Department of Public Safety and Conservation and the Alcoholic Beverage Control Board for the payment of any expenses incurred by said agencies during any emergency situation. The appropriation as herein made shall be paid out to such agencies only on orders of the governor and no part thereof shall be used for the payment of salaries.

Section 2. The appropriation made in this Act is in addition to all other appropriations heretofore made and it is provided that the personnel of the Department of Public Safety that were assigned on special detail in Birmingham, Alabama, receive their per diem and expense allowance for the period so assigned after allowance of expenses already paid on behalf of each of them by the State. It shall not lapse at the end of the fiscal year but shall continue in effect as long as any part thereof remains unexpended.

Section 3. This Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming a law.

Yeas 65; Nays 3.

Yeas:

Mr. Speaker	Crawford	Heflin	Pierce
Bailes	Davis	Hester	Powell
Baker (DeKalb)	Doggett	Hogan	Reynolds
Bassett	Downing	Holladay	Rogers
Bethea (B)	Drake	Jones (Covington)	Scurlock
Bethea (M)	Edwards (Escambia)	Locke	Slate
Blanton	Engel	McCorquodale	Smith
Bolton	Faulk	McDermott	Snell
Bowers	Fields	Martin	Steagall
Brown (Jefferson)	Fite	Moore	Stembridge
Camp	Glass	Morrow	Teel
Cantrell	Goodwyn	NeSmith	Thomas
Cates	Grouby	Nettles	Turnham
Collins	Hain	Owens	Vacca
Cook	Hannah	Paulk	Wood
Cooper	Harper	Perry	Young
Cornett			

—65

Nays:

Messrs.	Casey	Ingram	Sessions
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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carter:

S. J. R. 33. RESOLVED BY THE SENATE, THE HOUSE CONCURRING, That when the two houses adjourn today, they will adjourn to meet again on Thursday, July 18, and that when they adjourn on July 18, they will adjourn to meet again on Tuesday, July 23.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Casey the Rules were suspended and the House concurred in and adopted the S.J.R. 33 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Oden:

S. J. R. 31. WHEREAS the members of the legislature were privileged to enjoy the hospitality of the Mobile Area Chamber of Commerce and the people of Mobile all of whom sponsored this most enjoyable Dauphin Island vacation during the week end of June 28th; and

WHEREAS our most gracious hosts with their well-known thoughtfulness and consideration planned and executed every phase of this most delightful period of relaxation and good fellowship with their customary success in entertaining; and

WHEREAS each member of the legislature found this vacation most enjoyable and beneficial and will long recall this true Southern hospitality with many fond memories, now therefore

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE CONCURRING, That we wish to thank the Mobile Area Chamber of Commerce, the people of Mobile, and all those who joined in making this Dauphin Island vacation such a delightful and enjoyable experience.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Turner (Limestone) the rules were suspended and the House concurred in and adopted the S.J.R. 31 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Horton, Nichols and Smith:

S. J. R. 26. To provide for continuation of the joint committee established by H. J. R. 107, Act No. 483, approved September 6, 1957, to study the problems involved in the production and processing of cotton.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the joint committee established pursuant to H. J. R. 107, Act No. 483, approved September 6, 1957 (Acts of 1957, p. 667) shall continue in existence and shall continue its work as directed in said Act No. 483, provided that the members of the committee shall be elected by the respective Houses as provided in Act No. 483. The committee shall make a report to the Legislature on or before the fifth legislative day of the 1965 Regular Session.

RESOLVED FURTHER, That the Lieutenant Governor of Alabama, the Speaker of the House of Representatives and the Commissioner of Agriculture and Industries shall serve as ex officio members of the committee.

RESOLVED FURTHER, That the committee is authorized to meet thirty days in addition to the meeting days heretofore provided for in said Act No. 483, of the Regular Session of 1957 and in Act No. 7, S.J.R. 4 of the First Special Session of 1959, and each member of the committee shall be entitled to compensation and expenses as provided for in said Act No. 483, provided, however, that the total per diem pay, expense allowances, travel allowances and all other expenses incurred by the committee in any fiscal year shall not exceed \$5,000.00, anything in said Act No. 483 of 1957 or in S.J.R. No. 4 of the First Special Session of 1959 or hereinabove to the contrary notwithstanding.

AND RESOLVED FURTHER, That any provision of said H. J. R. 107, Act No. 483, of 1957, and any provision of said Act No. 7, S.J.R. 4 of the First Special Session 1959 in conflict with this resolution are hereby rescinded.

M. LEE,
Secretary.

SENATE MESSAGE

The S.J.R. 26 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 263. To amend Code of Alabama 1940, Title 40, Section 1, relating to the appointment of commercial notaries public in each county of the State; providing for their appointment by the judges of probate of the several counties.

Also:

H. 265. To amend Section 1 of Act No. 431, S. 155, Regular Session 1943 (Acts 1943, p. 400) further providing for the appointment of notaries public for the state at large.

Also:

H. 11. To amend further Code of Alabama 1940, Title 13, §§ 31 and 33, relating to supernumerary justices of the supreme court.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 85. Supporting the Governor of Alabama for his effective and persuasive appearance before the Committee of the Senate of the United States on the civil rights proposals by the President.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 84. Relative to the retirement of Major General Walter J. (Crack) Hanna.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 82. Relative to the death of the Honorable Vernel R. Jansen, Sr.

J. E. SPEIGHT,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate of Alabama to inform the House of Rep-

representatives of the election of Honorable McDowell Lee as Secretary of Senate.

NELL W. RUFFER,
Assistant Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 266. To amend Code of Alabama 1940, Title 41, Section 10, in relation to the commissioning of notaries public.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Goodwyn the House concurred in and adopted the Senate amendment to the bill, H. 266, said Senate amendment being as follows:

Amendment to House Bill No. 266

Strike the words director of the state department of public welfare where they appear and substitute therefor the words "the director of the state department of pensions and security"

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Pennington
Albea	Casey	Hannah	Pierce
Avery	Cooper	Harper	Powell
Bailes	Davis	Heflin	Pruitt
Baker (DeKalb)	Downing	Holladay	Reynolds
Bassett	Drake	Ingram	Rogers
Bethea (M)	Edwards (Escambia)	Jones (Covington)	Smith
Bolton	Edwards (Lowndes)	McCorquodale	Snell
Boston	Etheredge	McDermott	Steagall
Bowers	Faulk	Meeks	Stembridge
Brown (Jefferson)	Fields	NeSmith	Teel
Burnham	Glass	Nettles	Vacca
Campbell (Jackson)	Goldthwaite	Owens	Wood
Cantrell	Goodwyn	Paulk	

—55

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 11. To amend further Code of Alabama 1940, Title 13 §§ 31 and 33, relating to supernumerary justices of the supreme court.

Also:

H. 263. To amend Code of Alabama 1940, Title 40, Section 1, relating to the appointment of commercial notaries public in each county of the State; providing for their appointment by the judges of probate of the several counties.

Also:

H. 265. To amend Section 1 of Act No. 431, S. 155, Regular Session 1943 (Acts 1943, p. 400) further providing for the appointment of notaries public for the state at large.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 84. Relative to General Walter J. (Crack) Hanna.

Also:

H. J. R. 82. Relative to expressing regret at the passing of the Honorable Vernol R. Jansen, Sr.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 85. Relative to the appearance of Governor George C. Wallace before the Committee of the Senate of the United States.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Hawkins, Gilchrist, Horton, Bentley, Nichols, Cooper, Adams, Carter, Tyson, and Robison (Pickens):

S. J. R. 24. BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES concurring, as follows:

WHEREAS, the right of free and unlimited parliamentary debate has been a bulwark in the defense of States Rights and Constitutional Government during critical periods in the history of the Nation, the South and the State of Alabama, and

WHEREAS the Honorable Members of the United States Senate from Alabama and other Southern States are currently engaged in preparations for meeting the threat of ill-considered Force Bills being urged on the Congress by the Attorney General of the United States, and

WHEREAS unprecedented threats and pressures are being applied by the Attorney General of the United States and other advocates of such Force Bills, including the threat of mob demonstrations in Washington, to intimidate Southern Senators in their use of the right of free and unlimited parliamentary debate, and

WHEREAS the Legislature of Alabama desires to go on record to reassert its belief in free and unlimited parliamentary debate as a traditional and fundamental tenet of Constitutional Government, and

WHEREAS it is proper that this Legislature should at this critical time make its position known on this issue, toward the end that the United States Senators from Alabama and other Southern States, along with other adherents of States Rights and Constitutional Government, should be commended and encouraged in their exercise of free and unlimited debate.

THEREFORE, we the Members of the Alabama Senate and House of Representatives assembled, do hereby deplore and condemn efforts to throttle and silence free and unlimited parliamentary debate as it has been exercised in traditional Anglo-Saxon legislative bodies through the years; and we further deplore and condemn the use of threats and pressures, whether from legally-constituted officials or from lawless mobs, which would stifle

free and unlimited debate; and we further urge our United States Senators from Alabama and other Southern States to stand firm in their rights, bowing before no threats or pressures from any source whatsoever, knowing that the people of Alabama and the South, as well as Americans everywhere who cherish States Rights and Constitutional Government, support their advocacy of free and unlimited debate and their efforts against increased Executive Powers, Force Legislation and Mob Rule.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Bailes the rules were suspended and the House concurred in and adopted the S.J.R. 24 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Bentley:

S. J. R. 28. WHEREAS the Automotive Safety Showcase, a research and engineering exhibit of the Automobile Manufacturers Association, will be on exhibit at the State Capitol on Thursday and Friday, July 11 and 12; and

WHEREAS this Safety Showcase is a unique, educational exhibit of the importance of safety engineering; this safety education exhibit performs a valuable public information and education function in the interest of reduced highway and traffic accidents; and

WHEREAS this interesting and informative safety exhibit is sponsored by the State Department of Public Safety along with other public-interest organizations; and

WHEREAS the members of the Legislature have been invited by a legislative committee to view this Safety Showcase exhibit;

NOW THEREFORE BE IT RESOLVED BY THE SENATE, THE HOUSE CONCURRING, that members of both Houses are urged to view this public service display, the Safety Showcase, the inspection of which should prove to be a richly rewarding safety incentive for all who avail themselves of the opportunity.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

On motion of Mr. Vacca the rules were suspended and the House concurred in and adopted the S.J.R. 28 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Dumas:

S. 19. To require the approval of the Building Commission as a condition to the effectiveness of certain contracts and to prohibit the Building Commission from making any contract for the acquisition or construction of any building or facility without a proper showing that funds are available for the completion thereof.

Also:

By Mr. Dumas:

S. 24. To make it unlawful for any person by the use of a telephone, to molest, harass, threaten or willfully and knowingly, convey certain false information, and to prescribe penalties.

Also:

By Messrs. Cooper, Dumas, Tyson, Hawkins and Carter:

S. 64. Proposing an amendment to the Constitution of Alabama requiring approval of the qualified electors of the state prior to the issuance and sale of revenue bonds.

Also:

By Messrs. Lowe, Eddins, James, Bentley, Adams, Taylor, Allen, Givhan, Cooper, McDow, Brannan, Hornsby, McCain, Carter, Nichols, Clark, Tyson, Horton, Robison (Pickens), Hawkins and Reynolds:

S. 76. To amend Title 8, Section 239, 1940 Code of Alabama, which pertains to the sale of timber or minerals from school and swamp and overflowed lands.

J. E. SPEIGHT,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 19. State Administration.

S. 24. Judiciary.

S. 64. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Ways and Means.

S. 76. Conservation.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Grouby (With Notice and Proof):

H. 704. Relating to Autauga County: To require the board of education to provide for and allow sick leave with pay to school bus drivers.

Local Legislation No. 1.

Notice and Proof H. 704:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County: To require the board of education to provide for and allow sick leave with pay to school bus drivers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Autauga County shall provide for an allowance for sick leave with pay of one day for each month he is employed to every school bus driver employed by the board, unless such driver is also employed by such board as a teacher or in some other capacity and is allowed sick leave with pay in connection with such other employment. A school bus driver's sick leave, which is not used during the month in which it accrues may be accumulated to a maximum of fifteen days. The board of education shall determine when absence from duty by a school bus driver shall be deemed sick leave.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, 20, 27, and July 4, all in the year 1963.

MRS. H. M. DOSTER,
Publisher.

Sworn to and subscribed before me July 12, 1963.

EFFIE A. CARTER,
Title Notary Public.

By Messrs. Grouby, Goodwyn, McCorquodale, Jones (Covington), Faulk, Merrill, Albea, Burnham, Powell, Drake, Meade, Heflin, Carr, Burns, Campbell (Tuscaloosa), Posey, Thomas, Fite, Holladay, Rast, Stembridge, Branyon, Hankins, Gilmore, Pierce, Brown (Tuscaloosa), Rog-

ers, Hogan, Owens, Turner (Limestone), Moore, Scurlock, Turnham, Goldthwaite, Little, McDermott, Engel, Wood, Perry, Bassett, Glass, Camp, Snell, Morrow, Steagall, Cook, Jones (Monroe), Cornett, Young, Cates and Edwards (Escambia):

H. 705. To amend further Section 31 of Title 17, Code of Alabama 1940, relating to examinations of applicants to register.

Local Government.

By Mr. Mashburn:

H. 706. Proposing an amendment to the Constitution relative to the compensation, commissions, fees, percentages and allowances of certain officers of Baldwin County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. Mashburn (With Notice and Proof):

H. 707. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Local Legislation No. 1.

Notice and Proof H. 707:

LEGAL NOTICE

Notice is hereby given in accordance with Section 106 of the Constitution of Alabama that application will be made for enactment of a local law by the Legislature in substance as follows:

To change the method of compensating certain officers of Baldwin County and put such officers on a salary basis; to fix the annual salary and allowances of the judge of probate, the sheriff, the clerk of the circuit court, the register in chancery, and the coroner; to provide clerks, deputies, and assistants for such officers and for payment of their compensation out of the county treasury; to provide that the fees, commissions, percentages, and allowances collectible by such officers for services rendered shall be paid into the county treasury; to provide that the county shall furnish such officers with the books, stationery, office equipment and supplies, postage, and other conveniences necessary for the proper conduct of their respective offices; to provide that the Act will become effective upon the ratification of a constitutional amendment authorizing the Legislature to put such officers on a salary.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State this day personally appeared J. H. Faulkner, Sr., who, being by me, first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was

published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 23, May 30, June 6, and June 13, all in the year 1963.

J. H. FAULKNER,

Sworn to and subscribed before me July 5, 1963.

DOROTHY MARTIN,
Title Notary Public.

By Mr. Mashburn (With Notice and Proof):

H. 708. Relating to Baldwin County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, licenses, excises and fees, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 708:

STATE OF ALABAMA
COUNTY OF BALDWIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Baldwin County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, licenses, excises and fees, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After September 30, 1967, there shall be a county revenue commissioner in Baldwin County. A commissioner shall be elected at the general election in 1966, and at the general election every six years thereafter, who shall serve for a term of six years from the thirtieth day of September next after his election, and until his successor is elected and has qualified.

Section 2. The county revenue commissioner shall do and perform all acts, duties, and functions required by law to be performed either by the tax assessor or the tax collector of the county relative to the assessment of property for taxation, the collection of taxes, the keeping of records and the making of reports concerning assessments for and the collection of taxes. It shall also be the duty of the county revenue commissioner to collect for and issue all licenses, except marriage licenses, which are now collected for and are issued by the judge of probate and to perform all other duties relative thereto.

Section 3. Subject to the approval of the court of county commissioners or other like county governing body, the county revenue commissioner shall appoint and fix the duties and compensation of a sufficient

number of deputies, clerks, and assistants to perform properly the duties of his office. The acts of deputies shall have the same force and legal effect as if performed by the county revenue commissioner himself.

Section 4. Before entering upon the duties of his office, the county revenue commissioner shall take the oath of office prescribed by Article XVI of the Constitution of Alabama, and execute a bond in such sum as may be fixed by the court of county commissioners or like governing body of the county, giving as security thereon a bonding company authorized to do business in Alabama. The bond shall be conditioned as other official bonds are conditioned and shall be approved by and filed with the judge of probate. The cost of the bond required herein shall be paid out of the general funds of the county on warrant of the court of county commissioners or other like governing body of the county, and shall be a preferred claim against the county.

Section 5. The court of county commissioners or other like governing body of the county shall provide the necessary offices for the county revenue commissioner in the courthouse and shall provide all stationery, equipment, and office supplies, not otherwise furnished by law, needed for the efficient performance of the duties of the office.

Section 6. The county revenue commissioner shall collect and pay into the general fund of the county all fees, percentages, commissions, and other allowances which the tax assessor, the tax collector, and the judge of probate of the county are now or hereafter by law authorized or directed to charge or collect for the performance of any duty hereby imposed on the county revenue commissioner. As compensation for the performance of the duties of his office the county revenue commissioner shall receive an annual salary of \$12,000.60 dollars, payable in equal monthly installments out of the general fund of the county.

Section 7. The offices of tax assessor and tax collector of Baldwin County are hereby abolished effective the first day of October 1967.

Section 8. It is the purpose of this Act to promote the public convenience in Baldwin County by consolidating the offices of tax assessor and tax collector into one office and to require such office to perform all duties relative to the collection of license taxes and the issuance of licenses, except marriage licenses, which are required to be performed by the judge of probate.

Section 9. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 10. All laws or parts of laws which conflict with this Act are repealed.

Section 11. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. H. Faulkner, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was

published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

J. H. FAULKNER,

Sworn to and subscribed before me July 5, 1963.

DOROTHY MARTIN,
Title Notary Public.

By Mr. Thomas:

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

Ways and Means.

By Mr. Davis (With Notice and Proof):

H. 710. To alter, rearrange, and extend the boundaries and corporate limits of the town of Centreville in Bibb County.

Local Legislation No. 1.

Notice and Proof H. 710:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF BIBB

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries and corporate limits of the town of Centreville in Bibb County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the town of Centreville in Bibb County are hereby altered, rearranged, and extended, so that the following described territory will be embraced within the corporate limits of the town, to-wit:

Beginning at concrete post on the West boundary of the present Town limits and said concrete post marking the corner of the Town limits of the Town of Brent and said post being 1117.3 feet South and 4035.9 feet West from the concrete post marking the Northeast corner of the South half of Section 26, Township 23 N, Range 9 E and run thence N 73° 20' W with the South boundary of the Town of Brent a distance of 709.0 feet, more or less, to the centerline of the Cooper Pasture Branch; and thence down said branch with the meandering of the center line thereof as follows: S13¼° E a distance of 94.0 feet, more or less; thence S 47° 00' W 205.0 feet; thence S 38° 45' E a distance of 128.0 feet; thence S 67° 15' E a distance of 412.0 feet; thence S 39° 15' E a distance of 155.0 feet; thence S 26°

30' W a distance of 134.0 feet; thence S 31° 00' E a distance of 117.0 feet; thence N 71° 30' E a distance of 190.0 feet; thence S 13° 30' E a distance of 257.0 feet; thence S 31° 00' West a distance of 117.0 feet; thence S 53° 00' E a distance of 86.0 feet; more or less, to West boundary of the present town limits of Centreville; run thence North a distance of 970.0 feet, more or less to the point of beginning and being the SW $\frac{1}{4}$ of said Section 26, Township 23 N, Range 9 E, and known as the Dr. Weatherford lands.

ALSO: Beginning at a pipe marking the SE corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 23 N, Range 10 E and run thence West with the South boundary thereof to the middle point a distance of 660.0 feet, more or less; run thence South with the West boundary of the East half of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 30 a distance of 1500.0 feet, more or less, to the South margin of US Highway 82 (Walnut Street); and run thence Northwesterly with the margin of road 82 a distance of 880.0 feet, more or less, to a concrete post on West boundary of the East half of the West half of said section 30; run thence South with the said West boundary a distance of 1500.0 feet, more or less, to the North margin of U.S. Highway 82 Centreville By-Pass: Run thence Northeasterly with the North margin of said By-Pass a distance of 1500.0 feet, more or less, to the North-South half section line through said Section 30; and run thence North with said half section line a distance of 1987.0 feet, more or less, to the point of beginning, and being in the East half of the West half of Section 30, Township 23 N, Range 10 East.

ALSO: Beginning at the intersection of the present North boundary of the Town Limits of Centreville, in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 14, Township 23 N, Range 9 East, and 660.0 feet, more or less, North of the South boundary of said section 14, and center line of the Cahaba River and run thence West with the present North boundary of said Town Limits, a distance of 1800.0 feet, more or less, to the West end thereof and 500.0 feet West of Highway 5, as now located and run thence Northeasterly and parallel to said Highway 5 and 500.0 feet West thereof a distance of 700.0 feet, more or less to the South boundary of the North half of the South half of said Section 14, run thence West with said South boundary to the SW corner of the East half of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said Section 14, run thence North with the West boundary of the said East half of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ a distance of 1320.0 feet, more or less, to the NW corner thereof; and run thence East with East-West half section line a distance of 660.0 feet, more or less, to the SW corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 14, run thence North with the West boundary of the said SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 1320.0 feet more or less, to the NW corner thereof; run thence East with the North boundary of the South half of the North half of said Section 14 a distance of 3740.0 feet, more or less to the centerline of the Cahaba River; and run thence Southerly with the center line of the said Cahaba River a distance of 3330.0 feet, more or less, to the point of beginning and all being in S 14, T 23N, R 9E.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BIBB

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. W. Oakley, Sr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of The Centreville Press, a newspaper of general circulation published in Bibb County, Alabama, and that the attached notice was pub-

lished in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

J. W. OAKLEY, SR.

Sworn to and subscribed before me July 15, 1963.

MARVIN HUETT,
Title Notary Public.

By Mr. Glass:

H. 711. Relating to counties; authorizing the payment from county funds of premiums for bonds required of notaries public who are county employees.

Local Government.

By Messrs. Merrill, Burnham and Albea (With Notice and Proof):

H. 712. To alter, rearrange and extend the boundary lines of the City of Anniston, Alabama in Calhoun County, Alabama, so as to include within the corporate limits of said city certain property therein set out and described.

Local Legislation No. 1.

Notice and Proof H. 712:

STATE OF ALABAMA
CALHOUN COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama during the Regular Session of 1963, and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundary lines of the City of Anniston, Alabama in Calhoun County, Alabama, so as to include within the corporate limits of said city certain property therein set out and described.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Anniston in Calhoun County, Alabama are hereby altered, rearranged and changed so as to include within the corporate limits of said city all of the following described real estate located in Calhoun County, Alabama and specifically described by metes and bounds as follows, viz:

Beginning at the northwest corner of the northwest quarter of the northeast quarter of Section 20, Township 16 South, Range 8 East, said point being on the south boundary line of the corporate limits of the City of Anniston, Alabama; thence in a southwesterly direction 1480 feet, more or less, to a point on the south boundary lines of the northeast quarter of the northwest quarter of said Section 20, said point being 660 feet west of the southeast corner of said northeast quarter of the northwest quarter of said section 20; thence east along the south boundary of said quarter—quarter

660 feet to the southeast corner thereof; thence south along the north-south center line of said Section 20 to a point 795 feet, more or less north of the center of said Section 20; thence east and parallel to the east-west center line of said Section 20 a distance of 900 feet, more or less, to a point; thence north and parallel to the north-south center line of said Section 20 a distance of 1050 feet, more or less, to a point; thence east 420 feet to a point on the east boundary line of the northwest quarter of the northeast quarter of said Section 20; thence south along the east boundary line of the west half of the northeast quarter of said Section 20 to a point 325 feet, more or less north of the east-west center line of said Section 20, said point being on the present line of corporate limits of the town of Oxford, Alabama; thence east and parallel to the east-west center line of said Section 20 to a point 400 feet more or less, east of the west line of Section 21, Township 16 South, Range 8 east; thence south and parallel to the west boundary line of said Section 21 to the south boundary line of the northwest quarter of the southwest quarter of said Section 21; thence east along the south boundary line of said quarter-quarter to the southeast corner thereof; thence south along the west line of the southeast quarter of the southwest quarter of said Section 21 to the north line of the right of way of the Southern Railway Company; thence east along the north line of said right of way to the east boundary line of said quarter-quarter; thence north along the east line of said quarter-quarter to the northeast corner thereof; thence east along the north line of the southwest quarter of the southeast quarter of said Section 21 443 feet, more or less, to a point; thence south and parallel to the north-south center line of said Section to the north line of said Southern Railway Company right of way; thence east along the north line of said right of way to a point on the east line of said Section 21; thence north along said Section line to the northeast corner of the southeast quarter of the southeast quarter of said Section 21; thence west along the north line of said quarter-quarter to the northwest corner thereof; thence north along the west line of the northeast quarter of the southeast quarter of said Section 21 to the northwest corner thereof; thence east along the north line of said quarter-quarter to the northeast corner thereof; thence north along the east line of said Section 21 to the east-west center line of the northeast quarter of said Section 21; thence west along said east-west center line of said northeast quarter to the north-south center line of said Section 21; thence south along said north-south center line 330 feet, more or less, to a point; thence west and parallel to the north boundary line of the southeast quarter of the northwest quarter of said Section 21 to a point on the north-south center line of the northwest quarter of said Section 21; thence north along said north-south center line of said northwest quarter of Section 21 to the north line of said Section 21; thence west along the north line of said Section 21 and of said Section 20 to the point of beginning, all being in Calhoun County, Alabama.

Section 2. All laws or parts of laws both general, special or local in conflict with this Act are hereby expressly repealed.

Section 3. This Act shall take effect immediately upon the passage and approval by the Governor, or upon its otherwise becoming a law.

Personally appeared before me Ralph W. Callahan, who being duly sworn, makes oath that he is General Manager of The Anniston Star, a daily newspaper published in Anniston, Alabama, and that the attached notice was published on the following dates: June 17-24 July 1-8, 1963.

RALPH W. CALLAHAN,

Sworn to and subscribed before me this 12 day of July 1963.

LOLA J. BRIGHT,
Title Notary Public.

By Mr. Snell (With Notice and Proof):

H. 713. Relating to Chambers County; providing for the relief of Tommie Lee Culbertson and appropriating county funds for such purpose.

Local Legislation No. 1.

Notice and Proof H. 713:

NOTICE

STATE OF ALABAMA COUNTY OF CHAMBERS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Chambers County; providing for the relief of Tommie Lee Culbertson and appropriating county funds for such purpose.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$250.20 is hereby appropriated to the use and benefit of Tommie Lee Culbertson of Chambers County from the public road and bridge fund or other highway funds of Chambers County, as the court of county commissioners, board of revenue, or other like governing body of the county may direct, to compensate him for personal injuries suffered and damages sustained as a result of an accident which occurred on July 6, 1962 under such circumstances and conditions that Chambers County is justly obligated to pay the same.

Section 2. The officer charged by law with the duty of drawing warrants on the county treasury shall draw his warrant in favor of Tommie Lee Culbertson for the amount herein appropriated upon his execution of a release in favor of Chambers County of any and all claims against the county on account of or arising out of the accident aforesaid.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHAMBERS

Before me the undersigned authority in and for said County in said State, this day personally appeared Bonnie D. Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 19, 26, July 3, and 10, all in the year 1963.

BONNIE HAND,

Sworn to and subscribed before me July 13, 1963.

PEARL H. HAND,
Title Notary Public.

By Mr. Snell (With Notice and Proof):

H. 714. To fix the compensation of the members of the county board of education of Chambers County.

Local Legislation No. 1.

Notice and Proof H. 714:

NOTICE

STATE OF ALABAMA
COUNTY OF CHAMBERS

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and applications for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the members of the county board of education of Chambers County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The members of the county board of education of Chambers County shall receive from the public school funds of the county twenty dollars a day and their actual traveling and hotel expenses incurred in attending meetings of the board. They shall not be allowed pay for more than twenty-four days in any one year.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CHAMBERS

Before me, the undersigned authority in and for said County in said State, this day personally appeared Bonnie D. Hand, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of The LaFayette Sun, a newspaper of general circulation published in Chambers County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 12, June 19, June 26, and July 3, all in the year 1963.

BONNIE D. HAND.

Sworn to and subscribed before me July 7th, 1963.

PEARL H. HAND,
Title Notary Public.

By Mr. Doggett (With Notice and Proof):

H. 715. To alter, rearrange and extend the boundary lines and corporate limits of the town of Butler, in Choctaw County, Alabama.

Local Legislation No. 1

Notice and Proof H. 715:

NOTICE

STATE OF ALABAMA COUNTY OF CHOCTAW

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundary lines and corporate limits of the Town of Butler, in Choctaw County, Alabama.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the Town of Butler in Choctaw County, Alabama, are hereby altered, rearranged, and extended to include within the corporate limits of the Town of Butler, Alabama, the following described territory situated in Choctaw County, Alabama, to-wit:

All that portion lying South of Riderwood Road in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ and SW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 24, Township 13 North, Range 3 West, Choctaw County, Alabama, and containing 63 acres, more or less.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CHOCTAW

Before me, the undersigned authority in and for said County in said State, this day personally appeared M. Hollis Curl, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the Choctaw Advocate, a newspaper of general circulation published in Choctaw County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

M. HOLLIS CURL.

Sworn to and subscribed before me July 8, 1963.

JANICE W. BLOUNT,
Title Notary Public.

By Mr. Doggett:

H. 716. Relating to counties having not less than 17,800 nor more than 18,700 populations; providing for the payment of additional expense allowances of members of the court of county commissioners, board of revenue or like governing body of such counties.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 717. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Clarke County.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Mr. McCorquodale:

H. 718. Relating to counties having populations of not less than 25,700 nor more than 25,900, regulating further the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures, and other property of such buildings.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 719. To provide for the relief of Nathan Mathews; appropriating state funds for such purpose.

Ways and Means.

By Mr. McCorquodale:

H. 720. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for cooperative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund".

Conservation.

By Mr. Ingram:

H. 721. Relating to counties having populations of less than 13,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Local Legislation No. 1.

By Mr. Ingram (With Notice and Proof):

H. 722. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of

County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Local Legislation No. 1.

Notice and Proof H. 722:

STATE OF ALABAMA
COUNTY OF CLAY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Be It Enacted by the Legislature of Alabama:

Section 1. The Court of County Commissioners of Clay County is abolished, and in lieu thereof there is hereby created and established the Board of Commissioners of Clay County, which shall be composed of the judge of probate, as chairman, and four commissioners who shall be elected as hereinafter provided.

Section 2. As chairman of the Board, the judge of probate shall exercise all the powers and perform all the duties required of judges of probate by the general laws of this State as to matters coming before the court of county commissioners, board of revenue, or like governing body. The judge of probate shall receive an annual salary of four hundred eighty dollars (\$480), payable in equal monthly installments from the county treasury, as compensation for the performance of his duties as chairman of the Board.

Section 3. One commissioner shall be elected by the qualified electors of each of the districts into which the county is now divided by law for the purpose of electing members of the county governing body. Each commissioner must be a resident and qualified elector of the district from which he is elected, and shall continue to reside therein during his continuance in office. Commissioners from districts one and three, as such districts are now constituted, shall be elected at the general election to be held in 1964, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1966, and every four years thereafter. The commissioners shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the board, the vacancy shall be filled by appointment by the Governor for the unexpired term. The present mem-

bers of the Court of County Commissioners shall serve as members of the Board of Commissioners until their successors are elected and qualified as provided in this Act.

Section 4. Except as otherwise provided herein, the Board of Commissioners provided for in this Act shall have and exercise all the jurisdiction and powers which are, or hereafter may be vested in courts of county commissioners or like county governing bodies by the general laws of the State, or vested in the governing body of Clay County by local law; and the members of the board shall perform all the duties and services and exercise all the powers which are, or which hereafter may, be provided by law for members of courts of county commissioners or like county governing bodies, or for members of the Board of Commissioners of Clay County.

Section 5. Each commissioner shall receive an annual salary of three thousand dollars (\$3,000), which shall be his entire compensation for the services required of him by this Act. The salary of each commissioner shall be paid in equal monthly installments on warrants drawn on the funds of the county in accordance with the orders of the Board.

Section 6. The Board shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or two commissioners. A majority of the members of the Board shall constitute a quorum for the transaction of business. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions adopted; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection, at reasonable times.

Section 7. Before entering upon the discharge of their duties, the county commissioners shall each execute a bond in the sum of three thousand dollars (\$3,000). The bonds shall be payable to Clay County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of the judge of probate of Clay County, and the premiums thereon shall be paid by the county.

Section 8. Subject to the supervision, regulation and control of the Board of Commissioners of Clay County, and any rules and regulations which such body may promulgate from time to time in the exercise of its authority under this Act, the judge of probate, as chairman of the Board of Commissioners shall function as purchasing agent for the county. He shall make all purchases or lease rentals of all materials, tools, machinery, motor vehicles, supplies, equipment, and contractual services (which term as used in this Act shall not include contracts for professional or other personal services) for the county, or any department, board, or officer thereof, including the county board of education.

Section 9. At least three written, sealed, competitive bids shall be obtained on all purchases of supplies, materials, tools, machinery, motor vehicles, equipment and contractual services when the amount involved is two hundred dollars (\$200) or more. If the proposed purchase or contract involves an amount less than two hundred dollars (\$200), the purchase may be made either on the basis of sealed bids or in the open market. It shall be a violation of this section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred dollars (\$200) for the purpose of evading the requirements of this section. Invitations for bids shall be posted on a bulletin board located either immediately inside or outside the office of the probate judge, in the county courthouse, at least five days before the meeting of the Board at which the purchase is to be made. Such invitations, hereinafter called purchase notices, shall contain sufficient specifications to describe accurately the articles to be purchased as well as the quantity thereof. In addi-

tion to such notices, if the amount of the proposed contract is in excess of two hundred dollars (\$200), written notice by registered or certified mail with written reply requested, shall be given to at least three merchants or dealers in the goods or materials to be purchased, or where notice is of a contract to be let, to at least three contractors engaged in the type work contemplated. A copy of such notice or notices together with the return receipts showing their delivery, must be recorded in and shall become a part of the minutes of the Board of Commissioners.

Section 10. All bids received on proposed purchases or contracts shall be opened publicly at the time and place stated in the purchase notices. The contract or order shall be awarded to the lowest responsible bidder, or all bids may be rejected and the purchase or contract renegotiated when the public interest will be served thereby. It shall be the duty of the chairman of the Board of Commissioners to obtain information from the Division of Purchases and Stores of the State Department of Finance relative to the items to be purchased by competitive bids; and if the State prices are less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be made through the State Purchasing Agent. All bids, with the names of the bidders, shall be entered on a permanent record. Each record with the successful bid indicated thereon, and with the reasons for the award if not awarded to the lowest bidder, shall, after the award, be open to public inspection. In the event of a sale, trade, or other disposition of any property of the county of any nature or kind the procedure as outlined herein as it related to the obtaining of written, sealed, competitive bids shall be followed, and such sale, trade, or disposition of the property of the county shall be made in accordance with the most advantageous offer made.

Section 11. In an emergency a purchase may be made without competitive bids and without obtaining information from the Division of Purchases and Stores. However, a full written account of the circumstances necessitating any such emergency purchase, together with a statement describing the item purchased and naming the vendor from whom the item was purchased, shall be at once prepared by the chairman of the Board of Commissioners as purchasing agent and filed in his office. An emergency, as the term is used herein, means a situation where needed equipment of the county is idle due to the lack of parts, supplies, or repairs therefor, or when materials or supplies are immediately needed to place in operating condition the road or bridge system of the county which has become impassable or dangerous due to damage or destruction of existing portions thereof. The records of such emergency transactions shall be open to public inspection. The provisions of this Act regarding competitive bidding and obtaining information from the State Purchasing Agent may be waived for purchases of perishable commodities, utility services, machinery repairs, and commodities or services for which there is no competitive situation.

Section 12. In making purchases for the county the purchasing agent shall give preference to commodities produced or sold in Clay County, provided there is no sacrifice or loss in price or quality.

Section 13. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. All laws or parts of laws which conflict with this Act are repealed.

Section 15. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussery who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

MRS. R. M. USSERY.

Sworn to and subscribed before me July 12, 1963.

BLANCHE ALEXANDER,
Title Notary Public.

By Mr. Ingram (With Notice and Proof):

H. 723. To regulate further teacher tenure and status in the public schools of Clay County, granting the county boards of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Clay County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Local Legislation No. 1.

Notice and Proof H. 723:

STATE OF ALABAMA
COUNTY OF CLAY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further teacher tenure and status in the public schools of Clay County, granting the county boards of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Clay County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Be it Enacted by the Legislature of Alabama:

Section 1. The county board of education of Clay County is vested with plenary and exclusive power to employ, dismiss, discharge, remove or transfer principals, supervisors and teachers, and to regulate their tenure compensation and status as it considers necessary or desirable to promote the best interest of the schools under its jurisdiction, the provisions of any general law on the subject to the contrary notwithstanding.

Section 2. The provisions of Chapter 13, Title 52, Code of Alabama 1940, as amended or supplemented, which are in conflict or inconsistent with this Act are as to Clay County, hereby expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CLAY

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. R. M. Ussey, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Publisher of the Ashland Progress, a newspaper of general circulation published in Clay County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

MRS. R. M. USSERY.

Sworn to and subscribed before me July 12, 1963.

BLANCHE ALEXANDER.
Title Notary Public.

By Messrs. Casey, Ingram, Salter, Turner (Limestone), Drake and Cates:

H. 724. Relating to taxation: To exempt wrapping and other packing materials from the State Sales and Use Tax when used in preparing poultry or poultry products for delivery, shipment and sale.

Ways and Means.

By Mr. Cantrell (With Notice and Proof):

H. 725. To provide for the appointment and compensation of additional deputies of the Sheriff of Colbert County.

Local Legislation No. 1.

Notice and Proof H. 725:

STATE OF ALABAMA COUNTY OF COLBERT

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To provide for the appointment and compensation of additional deputies of the Sheriff of Colbert County.

Be it Enacted by The Legislature of Alabama:

Section 1. The Court of County Commissioners or other like governing body of Colbert County may authorize the Sheriff of the County from time to time, to appoint not more than five additional Deputy Sheriffs, each to be appointed at such time, or from time to time, as the Court of County Commissioners or other like governing body of Colbert County may determine that the same are needed or not needed to insure the efficient performance of the duties and obligations of the Office of the Sheriff of Colbert County, taking into account any population increase or decrease and all other factors in connection with the matter of the efficient performance of the duties and obligations of the Office of the Sheriff of Colbert County.

Section 2. A deputy sheriff appointed under the authority of this Act shall hold office at the pleasure of the sheriff of Colbert County, and shall receive such salary, not exceeding \$350 a month, as may be fixed and allowed by the governing body of the county, to be paid in equal monthly or semi-monthly installments out of the general funds of the county.

Section 3. A deputy sheriff appointed under this Act shall be eligible to perform the duties of a deputy sheriff anywhere in Colbert County.

Section 4. The provisions of this Act shall become effective only upon the approval of a majority of the qualified electors of Colbert County who vote thereon at a referendum election which is ordered to be held on the date of the first County-wide Primary, general or special election held after passage of this Act. The Court of County Commissioners, Board of Revenue or other like governing body of Colbert County shall order and provide for holding a referendum on such date. Notice of the election shall be given by publication once a week for three consecutive weeks in a newspaper published in the county. The election shall be held and conducted in the manner provided by law for holding other county elections, and the cost of the election, including the cost of publishing the notice, shall be paid by the county. The question to be voted on shall be stated on the ballots substantially as follows: "Do you favor permitting the governing body of Colbert County to furnish the Sheriff of Colbert County additional help from time to time as the same may be needed up to five additional deputy sheriffs who shall receive salaries not to exceed \$350.00 per month?"

Section 5. The provisions of this act are severably. If any part of the Act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COLBERT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mary Scott, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Secretary of the Valley Voice, a newspaper of general circulation published in Colbert County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 2, May 9, May 16, and May 22, all in the year 1963.

MARY SCOTT,

Sworn to and subscribed before me July 17, 1963.

HELEN C. BLALOCK,
Title Notary Public.

By Messrs. Cantrell and Stembridge:

H. 726. To amend Section 8 of Act No. 2, H. 47, Regular Session 1945, an act levying a privilege tax upon persons engaged in the business of producing or severing oil or gas (General Acts 1945, p. 24).

Ways and Means.

By Messrs. Salter, Turner (Crenshaw), Sullivan, Thomas, Goodwyn, Hain, Blanton, Nettles, Mashburn, Edwards (Escambia), Pierce, Glass, Wood, Casey, Avery, Branyon, Heflin, McCorquodale, Paulk, Crawford, Teel, Ingram, Beville, Turner (Limestone), Bailes, Campbell (Jackson), Owens, Carr, Smith, Jones (Covington), and Burns:

H. 727. Further regulating the registration of voters in Alabama; prescribing qualifications for registering and voting and providing for the determination thereof; creating the state board of examiners for voter registration, and prescribing its powers and duties; providing for the appointment and removal of the members of this board and prescribing their duties, powers, terms, and compensation; providing for the appointment of an executive secretary of the board, and regulating his duties, powers, tenure and compensation; prescribing penalties; and repealing conflicting legislation.

Constitution and Elections.

By Messrs. Salter, Turner (Crenshaw), Sullivan, Thomas, Goodwyn, Hain, Blanton, Nettles, Mashburn, Edwards (Escambia), Pierce, Glass, Wood, Casey, Avery, Branyon, Heflin, McCorquodale, Paulk, Crawford, Teel, Ingram, Beville, Turner (Limestone), Bailes, Campbell (Jackson), Owens, Carr, Smith, Jones (Covington) and Burns:

H. 728. Proposing an amendment to Article VIII, Section 181, as amended, of the Constitution of Alabama, in relation to voter registration, requirements and questionnaires.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Teel:

H. 729. To provide for the compensation of jurors in counties having populations of not more than 10,900 according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Jones (Covington) (With Notice and Proof):

H. 730. To change the method of compensating certain officers of Covington County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Local Legislation No. 1.

Notice and Proof H. 730:

A BILL
TO BE ENTITLED
AN ACT

**STATE OF ALABAMA
COUNTY OF COVINGTON**

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

To change the method of compensating certain officers of Covington County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Covington County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The judge of probate shall receive an annual salary of \$10,000, which shall include his compensation for all ex officio duties.

The sheriff shall receive an annual salary of \$7,000, and also all fees allowed sheriffs under the general law for duties performed in relation to criminal cases, up to but not exceeding in the aggregate \$3,500 per annum.

The tax assessor shall receive an annual salary of \$7,500.

The tax collector shall receive an annual salary of \$7,200.

Section 2. The court of county commissioners, board of revenue or other like governing body of Covington County, shall provide compensation for clerks, assistants and secretaries for the officers enumerated in this Act in such number as may be necessary for the efficient conduct of their offices. Provided the aggregate compensation of clerks, assistants and secretaries for the judge of probate in any one year shall not exceed forty-five percent of the gross receipts of the probate office for the preceding year. Each officer shall appoint his own deputies, clerks, secretaries, and assistants, and shall fix their compensation, subject to the approval of the county commissioners, board of revenue, or other like county governing body as to number and rate of pay, except as herein otherwise provided.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1 shall be collected hereafter for the use of the county and shall be paid into the general fund in the county treasurer. Provided, the sheriff shall be entitled to the allowances payable by the state for feeding prisoners. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries, and other assistants shall be paid in installments from the general fund of the county at such times as the board of revenue or other like county governing body may direct.

Section 4. The court of county commissioners, board of revenue or other like governing body of Covington County shall provide the judge of probate, sheriff, tax assessor, and tax collector, with the books, stationery, office equipment, supplies, postage, and other conveniences as may be necessary for the proper and efficient conduct of the affairs of their respective offices.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each county office specified at the expiration of the term of the incumbent officer, and upon the ratification of an amendment to the Constitution authorizing the Legislature to change the method of compensating the officers named in this Act, providing a majority of the qualified electors of Covington County who vote thereon vote in favor of the adoption of the amendment when it is submitted. If a majority of the qualified electors of Covington County who vote thereon against the adoption of the amendment, this Act shall have no further effect even though the amendment to the Constitution is ratified.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF COVINGTON

Before me, the undersigned authority in and for County in said State, this day personally appeared Ed Dannelly, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of The Andalusia Star-News, a newspaper of general circulation published in Covington County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

ED DANNELLY.

Sworn to and subscribed before me July 8, 1963.

LORA JONES,
Title Notary Public.

By Messrs. Turner (Crenshaw), Goodwyn, Fite, Brewer and Engel:

H. 731. To amend section 78, Title 13 of the Code of Alabama of 1940, as amended.

Ways and Means.

By Messrs. Turner (Crenshaw), Fite, Goodwyn, Brewer and Engel:

H. 732. To amend section 62, Title 13 of the Code of Alabama of 1940, as amended.

Ways and Means.

By Messrs. Turner (Crenshaw), Fite, Brewer, Goodwyn and Engel:

H. 733. To amend section 57, Title 13 of the Code of Alabama of 1940, as amended.

Ways and Means.

By Mr. Turner (Crenshaw):

H. 734. To amend Section 1 of Act No. 912, Regular Session 1961, H. 1292, approved September 8, 1961, entitled "An Act To Amend Section 348 Title 51, Code of Alabama 1940, and to repeal all laws, and parts of laws, General or Special, In Conflict Herewith," which Act and this Amendment thereto relate to the imposition of a franchise tax on foreign corporations doing business in the State based on the actual amount of its capital employed in the State, defining capital, providing for a method of

determining the actual amount of its capital so employed and establishing such determination as a rebuttable presumption as to the actual amount of its capital so employed, providing for exclusions and deductions from the amount of capital so determined and repealing all laws and parts of laws in conflict herewith.

Ways and Means.

By Messrs. Drake, Bevill, Scurlock, Turner (Limestone) and Carr:

H. 735. To revise further Code of Alabama 1940, Title 2, Chapter 1, Article 8, which relates to the sale and distribution of commercial feeds by amending Sections 57, 60 and 61, and repealing Section 59.

Ways and Means.

By Mr. Drake (With Notice and Proof):

H. 736. Relating to Cullman County; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Local Legislation No. 1.

Notice and Proof H. 736:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cullman County; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Be It Enacted by The Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue or like governing body of Cullman County shall establish and maintain a public law library in the county and may expend public funds, not otherwise appropriated, to provide suitable housing, quarters, furniture, fixtures and equipment for the library and to keep it in a good state of maintenance and repair, to expend, improve or add to the library, its facilities and equipment; to purchase such books and periodicals as may be needed from time to time; to pay the salaries of a librarian and such other personnel as may be necessary, in amounts and to the extent that such salaries and other expenditures as herein authorized are not paid from the proceeds of a special fund hereinafter created for the purpose of defraying costs of the operation of the library.

Section 2. There shall be taxed, as cost, the sum of one dollar and fifty-cents (\$1.50) in each civil action at law or suit in equity brought in the circuit court of Cullman County whether filed in arising in, or brought by appeal or certiorari or otherwise to the court, which cost shall be collected as other costs are collected by the clerk of said court or the register in chancery, as the case may be, which cost shall be designated the "law

library fee." Not later than the tenth day of each month such fees as have been collected during the preceding calendar month shall be covered into the county treasury to the credit of a special fund to be designated the Law Library Fund of Cullman County.

Section 3. The management of the Cullman County public law library shall be vested in a committee consisting of three members elected for terms of one year by the Cullman County bar association. The management committee shall have full authority to purchase books and periodicals and other materials, equipment and supplies and to fix the salaries of such personnel as may in the opinion of the committee be advisable and, if circumstances permit, to designate court officials to operate or to assist in the operation of the library. The committee may also from time to time sell or exchange any books, reports, periodicals, and personal property, and apply the proceeds of the sale or the value thereof upon the purchase of other books, reports, periodicals, and personal property for use in the library, and may in its discretion, accept any gift or loan of such items upon terms and conditions stipulated by the lender or donor. The management committee shall have full authority to execute contracts in connection with the operation of the law library which may create obligations constituting a proper charge payable from the Cullman County Law Library Fund and shall not thereby obligate the individual members of the committee.

Section 4. Expenditures from the Cullman County Law Library Fund shall be made on orders of the management committee. All books, periodicals and other property of the library shall be the property of Cullman County.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1963.

ROBERT BRYAN.

Sworn to and subscribed before me July 3, 1963.

COLLEEN BUCHANAN.
Title Notary Public.

My commission expires Nov. 7, 1964.

By Mr. Drake (With Notice and Proof):

H. 737. To amend Section 1 of Act No. 56, H. 325, Regular Session 1943 (Local Acts 1943, p. 28), an act authorizing the levy in Cullman County of a privilege tax on persons and businesses selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines.

Local Legislation No. 1.

Notice and Proof H. 737:

STATE OF ALABAMA
COUNTY OF CULLMAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act. No. 56, H. 325, Regular Session 1943 (Local Acts 1943, P. 28), an act authorizing the levy in Cullman County of a privilege tax on persons and businesses selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines.

Be it Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act. No. 56, H. 325, Regular Session 1943, (Local Acts 1943, p. 28), and act authorizing the levy in Cullman County of a privilege tax on persons and businesses selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county gasoline, naptha, and other liquid motor fuels or any device or substitute thereof, commonly used in internal combustion engines is hereby amended to read as follows:

"Section 1. That the Road and Bridge Commissioner of Cullman County, Alabama, may for the purpose of constructing and maintaining public roads, streets, bridges and ferries in Cullman County, Alabama, levy and collect a privilege tax of not more than one cent per gallon on all gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines provided, however, that nothing contained herein, shall be held to apply to those products known commercially as 'kerosene oil,' 'fuel oil,' or 'crude oil' commonly used for lighting, heating or industrial purposes, sold or delivered in said County, for the privilege of selling or delivering same. Provided further, that the tax shall not apply to Diesel oil, tractor fuel, gas oil, distillate or liquefied gas, kerosene and jet fuel even though such fuels may be used in internal combustion engines."

Section 2. This act shall take effect on the first day of the month next succeeding its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CULLMAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Robert Bryan, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Cullman Times, a newspaper of general circulation published in Cullman County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1963.

ROBERT BRYAN.

Sworn to and subscribed before me July 3, 1963.

COLLEEN BUCHANAN.
Title Notary Public.

My commission expires Nov. 7, 1964.

By Messrs. Steagall, Turnham, Crawford, Grouby and Cook:

H. 738. Relating to the compensation of jurors; amending further Code of Alabama 1940, Title 11, Section 98.

Local Government.

By Messrs. Hain, Brewer, Steagall, Blanton, Cornett, Grouby, Avery, Burnham, Holladay, Crawford, Heflin, Doggett, Nettles, Bailes, Morrow, Locke, Engel, Fields, Hogan, McDermott and Turnham:

H. 739. To establish a Commission on Interstate Cooperation, define its duties, prescribe its authority, and provide for its membership.

Ways and Means.

By Mr. Baker (DeKalb) (With Notice and Proof):

H. 740. To abolish the DeKalb County Hospital Association and hospital Board now existing as two hospital boards, or Associations, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a DeKalb County Hospital Commission to be known as the DEKALB COUNTY HOSPITAL COMMISSION. To provide for the election of the members of said Commission to fix their term of office, and to define the powers and duties of such Commission, and to fix the compensation of the members thereof, and to provide for a referendum on the adoption of this Act, and the machinery for voting on said Act in said referendum.

Local Legislation No. 1.

Notice and Proof H. 740:

NOTICE OF LOCAL BILL

Notice is hereby given that the following local Act will be introduced and efforts made to pass same in the regular session of the Legislature of Alabama, now in Session.

A BILL
TO BE ENTITLED
AN ACT

To abolish the DeKalb County Hospital Association and Hospital Board now existing as two hospital boards, or Associations, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a DeKalb County Hospital Commission to be known as the DeKalb County Hospital Commission. To provide for the election of the members of said Commission. To fix their term of office, and to define the powers and duties of such Commission, and to fix the compensation of the members thereof, and to provide for a referendum on the adoption of this Act, and the machinery for voting on said Act in said referendum.

Be It Enacted By The Legislature of Alabama:

Section 1. That the DeKalb County Hospital Association as created by general acts of Legislature of Alabama, 1945, page 332, and approved July 17, 1945, and the DeKalb County Hospital Board as authorized by Acts of the Legislature of Alabama, 1949, page 69. Approved June 2, 1949, and as amended by 1955 Acts of the Legislature, page 437, approved July 29, 1955, by the Legislature of Alabama be and are hereby abolished.

Section 2. There is hereby created and established, in lieu thereof, in and for DeKalb County, Alabama, and State of Alabama, a DeKalb County Hospital Commission, to be composed of five (5) members, and all of whom shall be qualified electors of DeKalb County, Alabama, and of their respective districts.

Section 3. That for the purpose of this Act and enforcement thereof, said County of DeKalb is hereby divided into four (4) sub-divisions, to be known as Districts and numbered respectively from one to four (1 to 4) both inclusive, and the boundaries and numbers of each district shall be as outlined and defined for the election of DeKalb County Commissioners of DeKalb County, Alabama.

Section 4. James F. Holcomb is hereby designated, declared, and appointed from District one, and he shall be and become a member of the DeKalb County Hospital Commission, from said District, and his term of office shall begin on the First Monday after the approval of this Act in a referendum as hereinafter provided, and he shall hold office until the First Tuesday after the Second Monday in January, 1965, and until his Successor is elected and qualified.

John Lindsey is hereby designated, declared and appointed from District Number Two, and he shall be and become a member of the DeKalb County Hospital Commission from said District, and his term of office shall begin the First Monday after the ratification of this Act, in a referendum hereinafter provided for by the qualified electors of DeKalb County, Alabama, and he shall hold office until the First Tuesday after the Second Monday in January, 1965, and until his successor is elected and qualified.

E. E. Browning is hereby designated, declared and appointed from District Number Three, and shall be and become a member of the DeKalb County Hospital Commission from said District, and his term of office shall begin on the First Monday after the ratification of this Act in a Referendum by the qualified electors of DeKalb County, as hereinafter provided, and he shall hold office until the First Tuesday after the Second Monday, in January, 1965, and until his successor is elected and qualified.

Mitchell Adams is hereby designated, declared and appointed from District Number Four, and he shall be and become a member of the DeKalb County Hospital Commission from said District, and his term of office

shall begin on the First Monday after the ratification of this Act in a referendum by the qualified electors of DeKalb County, as hereinafter provided, and he shall hold office until the First Tuesday after the Second Monday in January, 1965, and until his Successor is elected and qualified.

Sam Baugh is hereby designated, declared and appointed a member of the said DeKalb County Hospital Commission at large, and his term of office shall begin on the First Monday after the ratification of this Act in a referendum hereinafter provided for by the qualified electors of DeKalb County, Alabama, and he shall hold office until the First Tuesday after the Second Monday in January, 1965, and until his successor is elected and qualified.

Section 5. There shall be elected on the First Tuesday after the First Monday in November, 1964, and every fourth year thereafter, by the qualified electors of the entire county, the members of the DeKalb County Hospital Commission and from each of said districts there shall be elected members running from their respective districts, and they shall be bona fide residents of, and qualified electors of the District from which they are seeking to be elected, and upon their election, shall hold office for a period of Four (4) years, and until their successors are elected and qualified and shall qualify for office and take the oath required by law of public officers of DeKalb County, Alabama.

Section 6. The member of the DeKalb County Hospital Commission, at Large, shall be a resident of said County continuously during his term of office, and each member of said DeKalb County Hospital Commission shall be a resident of the District for which he is elected, and shall reside in said district continuously during his term of office.

Section 7. That the Compensation of the members of the DeKalb County Hospital Commission shall be ten dollars (\$10.00) for each regular meeting or special meeting of said commission, and in addition thereto, they shall receive eight cents (8c) per mile travel expenses to and from their usual place of abode, to the meeting place of the DeKalb County Hospital Commission. Said compensation shall be payable out of any funds that may be available, and shall be a prior claim thereon from the general fund of the said DeKalb County Hospital operations as may be provided by law.

Section 8. That the DeKalb County Hospital Commission shall have the power and authority to direct and control the property and all assets, and monies of every kind of character now existing in DeKalb County, Alabama, for public hospitals owned by DeKalb County, Alabama, or which may be established in the future, and which may be operated in DeKalb County, Alabama, under the general laws of the State of Alabama, and the DeKalb County Hospital Commission shall have all jurisdictions and powers which are or may hereafter be by law provided for the operation of public hospitals in DeKalb County, Alabama, and the members of the DeKalb County Hospital Commission shall perform all the duties and services and exercise all the power which are or may be provided by law for the operation of public hospitals in the State of Alabama, or DeKalb County, and generally shall have the general jurisdiction and control of all hospitals of a public nature and established by law as public hospitals in DeKalb County, Alabama.

Section 9. The DeKalb County Hospital Commission, immediately after the ratification of this act or the referendum hereinafter provided, shall meet and organize and elect a presiding officer and secretary of said commission and to do any and all other acts as may be necessary to take over the operation of public hospitals in DeKalb County, Alabama, and adopt rules regulations, after consultation with the Medical Association Staff, for the operation of the said DeKalb County Hospitals; and the DeKalb County Hospital Commission shall meet at least one time each month

on the first Monday in each month or such other times as the President of said Commission may deem expedient for the transaction of the business of the DeKalb County Hospitals.

All property heretofore held by the DeKalb County Hospital Association and the DeKalb County Hospital Board, including money, shall after the approval of this Act, as provided herein, be administered by the DeKalb County Hospital Commission, created by this Act, and all persons holding or who may have charge of such property are authorized and directed to turn over to the duly authorized employees of the DeKalb County Hospital Commission as may be directed by said Commission; and all legal obligations, debts, or bond issues now outstanding or which may be outstanding on the effective date of this act, of the DeKalb County Hospital Association, or DeKalb County Hospital Board, shall be assumed by the DeKalb County Hospital Commission, and shall be an obligation of said Commission and shall be paid by it.

Section 10. The said DeKalb County Hospital Commission is hereby granted full authority to operate the present hospitals created by law in and for DeKalb County, Alabama, or otherwise acquire buildings to be used in the operation of the hospitals, receive gifts of money or equipment to be used in the operation of the hospitals, appoint an Administrator for the hospitals, or if the DeKalb County Hospital Commission deems it advisable, it may contract, hire or let out to any society, organization, association or agency, and make payments to said society, organization, association or agency for the care of indigent or charity patients and the DeKalb County Commission may appropriate such funds authorized by law for care of indigent patients.

The DeKalb County Hospital Commission shall prepare an annual budget and make a report to the governing body of DeKalb County, Alabama, which said report shall include a list of the employees and the salaries of each, on January 1, of each year.

Section 11. The DeKalb County Commission or other governing body of DeKalb County, Alabama, is hereby authorized and directed to transfer and convey unto the DeKalb County Hospital Commission, the proceeds of the special county tax for public hospital purposes, which may be hereafter collected or provided for. Said tax shall be paid over to the DeKalb County Hospital Commission and shall be used by the DeKalb County Hospital Commission for any one or more of the purposes for which the tax shall have been voted; provided that payment of the proceeds of said tax to said DeKalb County Hospital Commission shall be made only to such extent as will not result in the impairment of the obligations of any contract heretofore made with respect to said tax, and that the Tax Collector of DeKalb County, Alabama, shall collect such special county tax in the same manner under the same requirements and laws as taxes of the state are collected, and shall keep said amount separate and apart from all other funds, and shall keep a clear and distinct account thereof, and shall turn the same over to the DeKalb County Hospital Commission, whose duty shall be to receipt therefor.

Section 12. The DeKalb County Hospital Commission may anticipate the proceeds from any special county tax required to be paid to it, in accordance with the provisions of this Act or any other law applicable thereto, by issuing securities for any one or more of the purposes for which the tax shall have been voted, and may pledge for the payment of the principal thereof and interest thereon, not exceeding seventy-five percent of the annual proceeds from said tax so paid to it. All securities issued hereunder shall be payable from the proceeds of the special tax in respect of which they were issued and from such other funds of the hospital corporation as its Directors may determine, but this provision shall not prohibit payment of the securities from any other funds which may be available therefor under

any other provision of law, provided, however, that in no event shall such securities be payable from such other funds if the effect thereof shall be to subject such securities to any constitutional debt limit or to any constitutional requirement that they may be authorized by vote of the qualified voters. Said securities shall be the obligation only of the DeKalb County Hospital Commission issuing the same, in accordance with the terms of such securities. DeKalb County shall, in no event be liable for any obligation created by DeKalb County Hospital Commission or by issuance of securities thereby, nor shall said securities be construed to be an indebtedness of or against DeKalb County, Alabama, or a political sub-division thereof. All securities issued hereunder shall have pre - or other operating expenses, or any other purposes of the hospitals. All pledges of said tax and all contracts made with respect thereto, shall take precedence in the order in which they are made, and create a charge on the proceeds of said tax prior to the expense of operation and maintenance of the DeKalb County Hospital facilities.

Section 13. Securities issued under the authority of this Act may contain such other terms, provisions, conditions, limitations and agreements, not inconsistent with the provisions of this Act, as the Directors of the DeKalb Hospital Commission who may issue the same, shall deem advisable, including, but not limited to a pledge of all or any part of the revenues of the hospital corporation and payment of the securities and a mortgage of all or any part of the property, real or personal, or any interest therein, of the DeKalb County Hospital Commission, including the property acquired, or to be acquired from the proceeds of the securities being issued, if any, as security for the payment of the principal of and interest on the securities, provided that no such mortgage or pledge shall be construed so as to permit the foreclosure thereof. If any mortgage is required or provided for any securities issued under the provisions of this Act, same shall be authorized and executed by the DeKalb County Commission on behalf of the DeKalb County Hospital Commission, if same is expedient or necessary.

Section 14. Securities of the DeKalb County Hospital Commission may be executed and delivered by it at any time and from time to time, shall be in such form and denominations and of such tenor and maturities, shall contain such provisions not inconsistent herewith, and shall bear such rate or rates of interest payable and evidence in such manner as may be provided by resolution of the Directors of the DeKalb County Hospital Commission providing for their issuance. Such securities shall be payable at such place or places, either within or without the State, that shall be prescribed in the resolution of the Directors of the DeKalb County Hospital Commission, providing for their issuance. Such securities and any interest coupons applicable thereto, shall be executed in such manner and shall be substantially in the form provided for in the authorizing resolution. Any securities issued by the DeKalb County Hospital Commission may thereafter, or any time, whether before, at, or after maturity thereof, and from time to time, **be refunded by the issuance of sale or exchange of refunding securities.** All bonds and notes issued by the DeKalb County Hospital Commission shall be construed to be negotiable instruments, although payable solely from a specific source. All securities issued by the DeKalb County Hospital Commission, the income therefrom, and all mortgages and other instruments executed as security therefor shall be exempt from all taxation in the state of Alabama.

Section 15. All securities issued hereunder may be sold, either at public or private sale, in such manner and from time to time, as may be determined by the Directors of the DeKalb County Hospital Commission issuing the same to be most advantageous. The DeKalb County Hospital Commission may pay all expenses, premiums, commissions and attorneys' fee to which its Directors may deem necessary or advantageous in connection with any financing or proposed financing done by it.

Section 16. Unless otherwise directed by the Court having jurisdiction thereof, and by the documents which is the source of authority, a fiduciary may, with the exercise of reasonable business prudence, invest trust fund in the securities of DeKalb County Hospital Commission for payment of the principal of and interest on which the proceeds of any ad valorem, excise or license or privilege tax are pledged.

Section 17. Securities reciting that they are issued pursuant to the terms of this Act shall in any action or proceedings involving their validity, be conclusively deemed to be fully authorized thereby and to have been issued, sold, executed and delivered in conformity therewith and with all the other provisions of law applicable thereto, and shall be incontestable. Anything herein or another statute to the contrary notwithstanding, unless such action or proceedings is begun before or within ninety days after date upon which the securities are delivered and paid for, and no irregularity in the proceedings to authorize the issuance of said securities hereunder nor the omission or neglect of any other officer charged with the execution of any duties imposed by this Act, shall affect the validity of any securities issued hereunder.

Section 18. The Director of the DeKalb County Hospital Commission may, in their discretion, before the issuance of any securities, determine the authority of the DeKalb County Hospital Commission, to issue such securities and the legality of all proceedings had or taken in connection therewith, and the validity of this Act or other means provided for the payment thereof, and the validity of all pledges of revenue and all covenants and provisions contained in any resolution authorizing the securities, and proceedings instituted and conducted in accordance with law, as the same as provided in this Act, and as said Act may be amended from time to time, or in a similar proceedings prescribed by law, but such proceedings shall not be essential to the validity of such securities.

Section 19. A majority of the DeKalb County Hospital Commission shall constitute a quorum for the transaction of business and no funds belonging to the DeKalb County Hospital or hospitals shall be drawn or paid out, except as authorized by the DeKalb County Hospital Commission and a proper list and registry of all sums drawn or paid out and the nature of the claim, and the person in whose favor drawn or paid out, shall be kept and maintained at all times and the books and accounts of said DeKalb County Hospital Commission shall be audited regularly by the Department of Examiners of accounts, Montgomery, Alabama, and said audit shall be made at least once each year. Said audit shall be filed in the office of the DeKalb County Commission, or such other governing agency of DeKalb County, Alabama, and said audit shall be subject to public inspection; and any technical equipment purchased by the DeKalb County Hospital Commission shall first be approved by the Medical staff of said hospitals.

Section 20. That the DeKalb County Hospital Commission shall do and perform all acts and services and shall exercise all powers and functions which are now, or hereafter by law are required or authorized for the operation of public hospitals in DeKalb County, Alabama, and shall be subject to the same privileges and penalties that are provided in said laws.

Section 21. The DeKalb County Hospital Commission shall generally supervise all hospital operations of a public nature in DeKalb County, Alabama, which are owned by DeKalb County, Alabama, and may do any and all acts necessary and expedient for the purpose of maintaining and operating said hospitals.

Section 22. In the employment of the Administrator and the operations of public hospitals in DeKalb County, Alabama, the DeKalb County Hospital Commission shall only employ such person or persons as are quali-

fied in hospital administration, and persons who are trained in the field of hospital administration, and the said DeKalb County Hospital Commission is hereby prohibited from employing any relative of any member of said Commission as an employee of any hospital operated by the said DeKalb County Hospital Commission, and the hospital medical staff shall be consulted in the employment of a Hospital Administrator.

Section 23. Should any vacancy occur in the DeKalb County Hospital Commission, such vacancy shall be filled by appointment of the DeKalb County Commission, or other governing body of DeKalb County, Alabama, for the unexpired term.

Section 24. That the DeKalb County Commission, or other like governing body of DeKalb County, Alabama, shall provide for the holding of a referendum on the day that a Constitutional Amendment is to be voted on in DeKalb County, Alabama, after the passage of this Act. Said referendum to be held on the 13th day of August, 1963. It being the intention to hold said referendum on the same date of the first election upon any proposed amendment to the Constitution of the State of Alabama, in order to save the cost of two elections. Said referendum shall be for the purpose of determining whether a majority of the qualified electors of DeKalb County Alabama voting therein, are in favor of having the DeKalb County Hospitals operated and maintained by the DeKalb County Hospital Commission as created by this Act. And determine whether or not a majority of the qualified electors favor the DeKalb County Hospital Commission exercising jurisdiction over the construction, repair, operation and maintenance of DeKalb County Hospitals, which may be now or hereafter owned by DeKalb County, Alabama. On the ballots to be used at the election the question shall be stated substantially as follows: Do you favor having the DeKalb County Hospital Commission, composed of five members elected by the people of DeKalb County, Alabama, exercise jurisdiction over the construction, repair, operation and maintenance of DeKalb County Hospitals?"
Yes () No () .

The results of the election and the conduct of the same shall be held and conducted as nearly as possible in the manner provided for the conduct of elections on amendments to the Constitution of the State of Alabama; and the DeKalb County Commission shall provide for the election supplies and expenses of said election out of the general fund of DeKalb County, Alabama.

Section 25. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 26. The provisions of this Act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part of which remains.

Section 27. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA DeKALB COUNTY

Before me Phyllis H. Wilbanks, a Notary Public, in and for said State and County, personally appeared Ben M. Smith who, being by me first duly sworn, deposes and says: That he is Publisher of the TIMES-JOURNAL, which during the time mentioned was a newspaper of general circulation, published in DeKalb County, Alabama, and that the foregoing notice was

published, without cost to the State of Alabama, in said Newspaper in the issues thereof, successively on June 4, June 11, June 18, and June 25, 1963.

BEN M. SMITH.

Sworn to and subscribed before me this the 5th day of July, A. D., 1963.

PHYLLIS H. WILBANKS,
Notary Public.

My commission expires 10-13-63.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 741. Relating to Escambia County; providing a central purchasing system for the county and county officers and departments, and for a county purchasing agent.

Local Legislation No. 1.

Notice and Proof H. 741:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Escambia County; providing a central purchasing system for the county and county officers and departments, and for a county purchasing agent.

Be it Enacted by the Legislature of Alabama:

Section 1. The chairman of the Board of County Commissioners of Escambia County shall serve as county purchasing agent without additional compensation. The county purchasing agent shall purchase for the county officials, the county offices, and every department of the county, all books, stationery, supplies, office equipment, printing and printing matter, blanks, forms, machinery, equipment, tools, materials, supplies, and contractual services needed by such county officials, offices, and departments. Subject to the approval of the Board of County Commissioners, the purchasing agent shall have the authority:

- 1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices and departments;
- 2) to operate a central storeroom;
- 3) to require county officers, offices, and departments to prepare estimates of requirements;
- 4) to transfer among the county officers, offices, and departments surplus supplies, equipment, and materials, or to sell surplus or obsolete items after receiving at least three competitive bids upon such surplus or obsolete items;

5) to promulgate reasonable rules and regulations governing the acquisition of supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of or contracts for, supplies, equipment, materials, and contractual services when the amount involved is two hundred fifty dollars (\$250) or more. If the purchase or contract involves an amount of less than two hundred fifty dollars (\$250), the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of the section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred fifty dollars (\$250) for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county courthouse and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and if the state price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the state purchasing agent. In an emergency arising from any unforeseen causes, including delay by contractors, delay in transportation, breakdown in machinery or other work stoppage, and unanticipated volume of work, the purchasing agent may negotiate a purchase costing two hundred fifty dollars or more by soliciting three competitive bids informally, either verbally or by telephone, telegraph, or letter and without obtaining information from the division of purchases and stores. The provisions of this Act regarding three competitive bids and obtaining information from the division of purchases and stores may also be waived in cases of emergency involving actual danger to life or property, and for purchases of perishable commodities, items and services of a technical or specialized nature, utility services, and commodities or services for which there is no competitive situation. The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of small purchases costing no more than ten dollars (\$10), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception. All county officers, and all county offices and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased by the purchasing agent, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 3. Supplies, materials, equipment, and services shall be furnished to the county officers, offices, and departments only upon written requisition setting forth the articles needed and signed by the officer for whose office the articles are requested. The requisitions shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the articles will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

Section 4. The purchasing agent shall keep a current inventory of all property owned or leased by the county, which inventory record shall show

where such property is located and in whose possession or under whose control it is.

Section 5. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of fifteen thousand dollars (\$15,000). The bond shall be payable to Escambia County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. Act No. 287, H. 766, Regular Session 1935 (Loc. Acts 1935, p. 170) and all other laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 8. This Act shall take effect on the first day of the month next following the date of enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

RACHEL DAVIS,
Notary Public.

Sworn to and subscribed before me June 28, 1963.

PHILIP SOKOL,
Title Co-Publisher.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 742. To reorganize the governing body of Escambia County; abolishing the Board of Revenue and creating a Board of County Commissioners; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 742:

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To reorganize the governing body of Escambia County; abolishing the Board of Revenue and Creating a Board of County Commissioners; repealing conflicting laws.

Be it Enacted by The Legislature of Alabama:

Section 1. The Board of Revenue of Escambia County is abolished, and there is created in lieu thereof a Board of County Commissioners to be composed of a chairman and four associate members.

Section 2. A chairman of the Board shall be elected by the qualified electors of the county at the general election of state and county officers in 1964, and every four years thereafter, and shall hold office for a term of four years from the first Monday after the second Tuesday in January next following his election, and until his successor is elected and qualified. The chairman must possess the same qualifications for office as the general law prescribes for probate judges. He shall be entitled to an annual salary of \$6,000.00 payable from the county treasury in equal monthly installments, which shall be his entire compensation for performance of the duties of his office and all ex-officio duties imposed by law.

Section 3. One associate member of the Board shall be elected by the qualified electors of the entire county for each of the commissioners' districts into which the county is now divided. However, the incumbent members of the county governing body shall serve as members of the Board of County Commissioners hereby created until the expiration of the terms for which they were elected, and until their successors are elected and qualified. Associate members of the Board from Districts 2 and 4 shall be elected at the general election to be held in 1964, and every four years thereafter. Associate members of the Board from Districts 1 and 3 shall be elected at the general election to be held in 1966, and every four years thereafter. A candidate for associate member of the Board must be a resident and qualified elector of the district he represents and shall continue to reside therein during his continuance in office. The associate members of the Board shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

Section 4. The associate members of the Board shall each receive an annual salary of three thousand three hundred dollars (\$3,300). The salaries of the associate members of the Board shall be paid in equal monthly installments from any funds in the county treasury available for that purpose, and shall be their entire compensation for the services required of them by this Act.

Section 5. Before entering upon discharge of their duties, the associate members of the Board shall each execute a bond in the sum of three thousand dollars (\$3,000). The bonds shall be payable to Escambia County, with good and sufficient surety, and shall be conditioned upon the faithful discharge of their duties of office. The bonds shall be filed and recorded in the office of the judge of probate of Escambia County, and the premiums thereon shall be paid by the county.

Section 6. Except as otherwise provided herein and in Act No. 101, H. B. 12, Second Special Session 1963, effective June 1, 1963, the Board of County Commissioners shall have all the jurisdiction and powers which are, or which hereafter may be, vested in courts of county commissioners or other like county governing bodies by the general laws of the State. The roads and bridges of the county shall be constructed, repaired, and main-

tained on the basis of the county as a unit and without regard to district lines as provided in said Act No. 101. The Board may appoint one chief clerk and fix his salary at not more than six hundred dollars (\$600) per month, which salary shall be paid by the county, and may also appoint such clerical assistants as may be necessary.

Section 7. The Board shall hold regular meetings on the second Monday of each month and may hold special meetings upon the call of the chairman or two associate members of the Board. A majority of the members of the Board shall constitute a quorum for the transaction of business. The chairman shall have a vote the same as an associate member, but shall not have a second vote to break a tie. The Board shall keep complete and accurate written minutes of all meetings, business transacted, and resolutions; and there shall be recorded therein the vote of each member. At each meeting the minutes of the previous meeting shall be read and all minutes shall be open to public inspection at reasonable times.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. Act No. 287, H. 766, Regular Session 1935 (Loc. Acts 1935, p. 170), Act No. 349, H. 748, Regular Session 1953 (Acts 1953, p. 415), and all other laws or parts of laws in conflict with the provisions of this Act are hereby repealed. However, this Act shall not be considered a repeal of any part of said Act No. 101 H. 12, Second Special Session 1963.

Section 10. This Act shall become effective on the first day of the month next following the date of enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

ELOISE BRADFORD,
Notary Public.

Sworn to and subscribed before me July 5, 1963.

PHILIP SOKOL,
Title Co-Publisher.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 743. To create an inferior court for Escambia County to replace the court created by Act No. 665, H. 1019, Regular Session 1951, abolishing the existing court and providing for a transfer of pending cases.

Notice and Proof H. 743:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To create an inferior court for Escambia County to replace the court created by Act No. 665, H. 1019, Regular Session 1951, abolishing the existing court and providing for a transfer of pending cases.

Be it Enacted by the Legislature of Alabama:

Section 1. There is hereby established in Escambia County an inferior court with county-wide jurisdiction of criminal cases and civil actions as hereinafter provided. The court shall not be a court of record, but it shall replace the Inferior Court of Escambia County established by Act No. 665, H. 1019, Regular Session 1951, which is hereby abolished.

Section 2. (a) Except as provided in subsection (b), the court shall have power to exercise jurisdiction in all actions, causes, matters, proceedings, and cases (including bastardy proceedings, and actions for unlawful detainer and for the recovery of possession of land without limitation as to the value of the property involved), cognizable before the circuit court, or a county court, or the juvenile court, or justice of the peace, or courts created in lieu thereof, and all courts of like jurisdictions. It shall have the authority to punish contempts by fine not exceeding fifty dollars (\$50.00) and imprisonment not exceeding five days. It may adopt and enforce rules and regulations relative to pleadings, procedure, and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practice and procedure of inferior courts.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of actions of ejectment or of any civil action when the matter or sum in controversy exceeds \$500.00, nor take cognizance of any matter or proceeding in equity, except suits involving the custody of children.

(c) The judge of the court shall have and exercise preliminary jurisdiction in felony cases, and the clerk and the clerk's deputy shall have power to take complaints and issue warrants in preliminary proceedings commenced in said court.

Section 3. (a) A judge of the court herein established shall be elected by the qualified electors of the county at the general election of 1966 and every four years thereafter. His term shall be for four years from the first Monday after the second Tuesday in January next succeeding his election, and until his successor is elected and qualified.

(b) The judge shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. He may be removed from office for any cause enumerated in Section 173 of the Constitution and in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, a qualified elector of Escambia County, Alabama, learned in

the law, and has been licensed to practice law in this State. The judge and his partner shall not practice law in the court herein established, nor participate in any case appealed from such court, but they shall be free to practice in all other courts and engage in the general practice of the law. Any vacancy occurring in the office of judge shall be filled by appointment by the Governor.

(c) The judge shall receive an annual salary of \$5,400 payable out of the general fund of the county in equal monthly installments.

(d) The judge shall have authority to: 1) grant writs of certiorari, supersedeas, quo warranto, mandamus, and all other remedial and original writs which are granted by the circuit judges; 2) grant writs of injunction and ne exeat; 3) administer oaths and take acknowledgments; 4) issue search warrants; 5) exercise such other powers, jurisdiction or authority as may now or hereafter be conferred by law upon circuit judges, judges of juvenile and county courts, and justices of the peace. Provided, however, the judge shall not have or exercise the powers, jurisdiction, or authority of equity courts except in suits involving the custody of children.

(e) The judge shall be provided, at the expense of the county, with such office supplies, stationery, stamps and other materials as may be necessary for the transaction of the business of the court.

(f) In the event the judge is disqualified or unable to act, a special judge shall be appointed as provided in Section 160 of the Constitution and Section 124 of Title 13 of the 1940 Code of Alabama.

(g) The judge of the Inferior Court of Escambia County shall be the judge of this court until his successor is elected as provided in subsection (a).

Section 4. (a) Sessions of the court shall be held at the county courthouse and at other places herein designated, and the court shall be open at all times for the transaction of business. Regular sessions shall be held on the first Monday in each month at the courthouse in Brewton, Alabama for the trial of criminal cases, and on the first Tuesday in each month at the courthouse in Brewton, Alabama for the trial of civil action at law. Regular sessions shall be held in the City of Atmore, Alabama on the third Monday in each month for the trial of criminal cases and also for the trial of civil actions at law. Special sessions may be held either at the county courthouse in the City of Brewton, Alabama, or in the City of Atmore, Alabama, at such times as the judge shall designate. Sessions may continue so long as as may be necessary for the court to complete its business.

(b) The Sheriff shall attend the sessions of the court in person or by deputy and shall receive the same compensation therefor which he is now allowed for attending sessions of the county court and the circuit court. He shall execute all writs and processes of the court, and perform such other duties as he may be required to perform in the circuit court.

Section 5. Except as otherwise provided in this Act, the practice and procedure of the court as to parties, trial, competency of witnesses, admissibility of evidence, regulation of suits, and the time within which suits may be brought shall be governed by the statutes and rules of practice and procedure governing the circuit courts. In civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto within twenty days.

Section 6. The court shall not draw, organize, or empanel grand or petit juries. The judge shall decide all issues of fact without the intervention of a jury.

Section 7. It shall be the duty of the clerk of the court to tax and collect 1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same costs and fees for services of the Clerk and Sheriff and witnesses in civil cases in said Court as are now or may hereafter be allowed by law to be assessed, charged and collected for same in the Justice of Peace Courts; 2) in every other civil action at law, the same as in circuit courts; 3) and in all criminal cases the same costs, fines, and fees for the services of the solicitor, clerk, sheriff and witnesses, in said Court shall be assessed and collected as are now or may hereafter be provided by law to be assessed and collected for such offenses in the county court. 4) A trial tax of one dollar (\$1.00) shall be collected for the use of the county in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00). In every other civil action at law, and in every criminal case, a trial tax of three dollars (\$3.00) shall be collected for the use of the county. 5) No costs shall be taxed in juvenile cases. 6) The fees of the clerk and sheriff in cases in which the State fails to collect, or where a nolle prosequi is ordered, or where the case is abated by death of the defendant, or where an execution is returned "no property found", shall be paid out of the general fund of said County. 7) The clerk shall be entitled to receive a commission of five per cent on all moneys remitted by him either to the State of Alabama or to the County depository of the County of Escambia. 8) The Clerk shall receive for issuing of warrants, affidavits and commitments the same fees to which the Circuit Clerk of Escambia County, Alabama is now entitled to receive under and by virtue of Local Act, 1947, Act No. 184. 9) All costs of criminal cases in said court shall be taxed and paid as is now provided to be taxed and paid in the County Court under and by virtue of Local Act, 1935, Act No. 256. 10) All fines and costs shall be remitted in the same manner and to the same depository now required by law to be remitted in the County Court. 11) The Clerk and the Sheriff shall be entitled to receive the same ex officio fees now provided by law in the County Court. 12) The Sheriff shall receive, as cost taxed against the defendants, for transferring prisoners incarcerated in the County jail from the County jail in Brewton, Alabama to the court room in Atmore, Alabama, in the event of conviction, the sum of ten cents per mile; and when a prisoner is committed by the court in Atmore to the county jail in Brewton, the sheriff shall receive as costs to be taxed against the defendants, in the event of conviction, the sum of ten cents per mile for transferring said prisoners from the court room in Atmore, Alabama to the County Jail in Brewton, Alabama.

Section 8. (a) No prosecution shall be commenced in such court except upon the sworn complaint made to either the judge or the clerk or the clerks deputy, who shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed and that there is reasonable cause to believe that the accused is guilty. When the accused is arrested, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments.

(b) The county solicitor, or deputy solicitor, shall prosecute for the State all criminal cases commenced in such court. In addition to the salary now received by the county solicitor or deputy solicitor, he shall receive in addition thereto the sum of twenty-five (\$25.00) for each session of said court which he is required to attend in the City of Atmore, Alabama. In event the county solicitor or deputy solicitor is absent or disqualified, the judge shall appoint a special prosecutor, who shall be paid twenty-five dollars (\$25.00) for each day he is called upon to serve.

Section 9. Appeals may be taken as follows: 1) If the case is a civil case, the appeal lies to the circuit court and shall be governed by Article 6 of Chapter 8, Title 13, of the 1940 Code. 2) If the case arises under the Court's jurisdiction with respect to juveniles, the appeal lies to the circuit court and shall be governed by Sections 371 and 372 of Title 13 of

Code of 1940. 3) In every criminal case, the appeal lies to the circuit court and shall be governed by Section 349 of Title 13 of the 1940 Code.

Section 10. The party in whose favor a judgment is rendered shall have all the rights, remedies, and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11 of Title 7 of the 1940 Code.

Section 11. (a) The Clerk of the Circuit Court of Escambia County, Alabama, shall be ex officio clerk of the court herein established. He shall have power to appoint a deputy clerk and delegate to him such authority as may be necessary to carry out the provisions of this Act. The clerk shall have authority to purchase at county expense such records, stationery, office supplies, and equipment as may be necessary to conduct the court's business. He shall keep a seal, which shall be the official seal adopted by the Court.

(b) It shall be the duty of the Clerk to keep all the books, papers, files, and dockets of the court in an orderly manner and to perform all other duties required by the judge.

(c) The clerk shall have power and authority: 1) to administer oaths and take acknowledgments and affidavits; 2) to sign and issue all processes issuing out of court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments, and releases; 3) to approve bonds in civil cases; 4) to enter all judgments, orders and decrees of the court; 5) to certify all appeals; 6) to exercise all powers and authority which are now or may be hereafter conferred on clerks of the circuit courts.

(d) The clerk shall attend the sessions of the court in person or by deputy and shall receive in addition to his regular fees as herein provided the sum of ten dollars (\$10.00) per session of the court attended by him or his deputy in the City of Atmore, Alabama.

Section 12. All cases and actions pending in the Inferior Court of Escambia County on the effective date of this Act shall be transferred to the court herein created and shall proceed as though begun therein. As to judgments heretofore rendered by the Inferior Court of Escambia County, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments had been rendered by it. This Act shall not apply to nor affect any criminal or quasi-criminal cases pending in any justice of the peace court of the county on the effective date hereof.

Section 13. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid, such declaration shall not affect the part that remains.

Section 14. All laws in conflict with this Act are repealed to the extent of the conflict.

Section 15. This Act shall take effect on the first of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was

Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

RACHEL DAVIS,
Notary Public.

Sworn to and subscribed before me June 28, 1963.

PHILIP SOKOL,
Title Co-Publisher.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 744. To regulate further the compensation of jailers and deputies sheriff of Escambia County.

Local Legislation No. 1.

Notice and Proof H. 744:

STATE OF ALABAMA
COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To regulate further the compensation of jailers and deputies sheriff of Escambia County.

Be it Enacted by The Legislature of Alabama:

Section 1. The following jailers and deputies to the sheriff of Escambia County whose compensation is payable by the county according to law shall receive the following compensation: The principal deputy designated as such by the sheriff other than the chief deputy shall receive a salary of not less than three hundred seventy-five (\$375) per month; deputies other than the chief deputy and the principal deputy including jailers, shall each receive a salary of not less than three hundred fifty dollars (\$350) per month.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month commencing after the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State this day personally appeared Philip Sokol, who being by me first

duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

RACHEL DAVIS,
Notary Public.

Sworn to and subscribed before me June 28, 1963.

PHILIP SOKOL,
Title Co-Publisher.

By Messrs. Burns, Nabors, Campbell (Tuscaloosa), Young, Scurlock, Drake, Davis, Albea, Grouby, Callahan, Owens, Fite, Bailes, Downing, Ne-Smith, Smith, Engel, Meade, Camp, Powell, Hester, Holladay, Bolton, Campbell (Jackson), Cantrell, Moore, Slate, Turner (Limestone), Bowers, Vacca, Goodwyn, Little, Jones (Covington), Salter, Heflin, Cook, Hannah, Boston, Brown (Jefferson) and Thomas:

H. 745. Proposing an amendment to the Constitution of Alabama in relation to the age for registering, voting, and paying poll tax.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Burns, Wood, Nabors, Edwards (Escambia), Drake and Smith:

H. 746. Relating to public officers and employees; prohibiting their participation in strikes against the state, counties and municipalities, or their membership in organizations of employees or labor unions which assert the right to strike against the government, yet guaranteeing them the right to organize and bargain collectively.

Business and Labor.

By Messrs. Burns, Nabors and Owens:

H. 747. Relating to the sixteenth judicial circuit of Alabama; prescribing a rule of procedure for the circuit courts therein.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 748. Relating to counties having populations of not less than 96,000 nor more than 106,000; authorizing certain teachers in the public schools who are over age seventy to be continued in service; and prescribing conditions for their continued employment.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 749. To provide further for the operation of county boards of equalization in counties having populations of not less than 96,000 nor more than 106,000; providing for the employment of clerks by the boards.

Local Legislation No. 1.

By Messrs. Burns, Nabors and Owens:

H. 750. To repeal Act No. 561, H. 396, Regular Session 1961 (Acts 1961, p. 660) which provides further for the operation of the county board of equalization of each county having a population of not less than 96,000 nor more than 106,000, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Messrs. Nabors, Meeks, Etheredge and Goldthwaite:

H. 751. To authorize life insurance companies of this State to invest in loans, notes, bonds or other evidences of indebtedness of corporations up to the fair value of the real property mortgaged to secure the same and upon other conditions.

Insurance.

By Messrs. Nabors, Owens and Burns:

H. 752. To amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population.

Local Legislation No. 1.

By Mr. Hester:

H. 753. To amend Act No. 888, H. 1113, Regular Session 1961 (Acts 1961, v. 2, P. 1397), an act providing for the establishment, maintenance, and operation of a junior college in Franklin, Marion, or Winston County, so as to authorize the board of trustees of the college to issue and sell interest bearing warrants or other like securities in anticipation of the allocation of special tax revenues.

Ways and Means.

By Mr. Hester:

H. 754. To provide for the administration of a scholarship fund at Northwest Alabama Junior College for certain graduates of Franklin County high schools.

Ways and Means.

By Mr. Hester (With Notice and Proof):

H. 755. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Franklin County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 755:

LEGAL NOTICE

STATE OF ALABAMA
FRANKLIN COUNTY

NOTICE is hereby given that a bill substantially as follows will be in-

roduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Franklin County, Alabama.

Be it Enacted by the Legislature of Alabama:

Section 1. This act shall apply to and govern all units, both in law and equity hereafter filed in the following courts: (1) the Circuit Court of Franklin County, Alabama; and (2) any other court of record which may hereafter be established by law in Franklin County in lieu of either of said courts or exercising concurrent jurisdiction in whole or in part, either at law or in equity, with the Circuit Court of said county. It shall not apply to or affect any case pending in any court on the date of its enactment. It shall not apply to the Probate Court of said county.

Section 2. It shall be proper and permissible to adjudicate and settle in a single unit, in so far as practicable, all issues, whether direct, indirect, remote, contingent, conditional, or collateral, arising out of the same transaction, occurrence, or event, or relating to the same subject matter. For this purpose, the plaintiff may, in addition to indispensable parties or necessary parties, join any of the following persons as defendants:

(a) Every person who will be adversely affected by the judgment, either directly, or indirectly, remotely, contingently, conditionally or collaterally, either as surety, guarantor, indemnitor, insurer, reinsurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(b) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(c) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, and by reason of such direct, indirect, remote, contingent, conditional, or collateral liability, shall be entitled by contract or otherwise, to defend the suit, participate in the defense of the suit, control the proceedings, participate in the control of the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit;

(d) Every person who, by contract or otherwise, shall have the right to defend the suit, participate in the defense of the suit, control the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit.

Section 3. When any person who should or may join as plaintiff re-

fuses to do so, he may be made a party defendant or, in a proper case, an involuntary plaintiff. In any cross-complaint, cross-bill, cross-petition, cross-suit, or cross-action, the cross-plaintiff, cross-complainant, or cross-petitioner may name as cross-defendants or cross-respondents any persons whom he might properly have named as defendants or respondents in an original complaint, bill, petition, suit, or action if he had been first to file his complaint, bill, petition, suit, or action in the matter.

Section 4. It shall be no objection, either to the pleadings, proceedings, or the rendition of judgment that the different defendants are liable for different amounts or that they are sued for different amounts but judgment shall be rendered against the different defendants according to their respective liabilities.

Section 5. For the purposes of this act, unless the context indicates otherwise, the term "plaintiff" includes cross-plaintiff, complainant, cross-complainant, petitioner, and cross-petitioner; the term "defendant" includes cross-defendant, respondent, and cross-respondent; and the term "suit" includes every type and kind of action, cross-action, and cross-suit, both at law and in equity.

Section 6. Nothing in this act shall be construed to authorize the bringing of any suit in Franklin County where it could not be properly brought except for the passage of this act.

Section 7. If any section, sentence, clause, or provision in this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause or provision of this act shall be declared or held to be invalid or unconstitutional, such declaration or holding shall not affect the validity of such section, sentence, clause, or provision, as to any other application which is not in itself invalid or unconstitutional.

Section 8. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notices were published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

CLAUDE E. SPARKS,

Sworn to and subscribed before me Mae G. Streit 7-8, 1963.

Commission expires 2-19-66.

Title Notary Public.

By Mr. Hester (With Notice and Proof):

H. 756. To levy in Franklin County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Local Legislation No. 1.

Notice and Proof H. 756:

STATE OF ALABAMA
COUNTY OF FRANKLIN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To levy in Franklin County a county privilege, license, or excise tax on the sale, distribution, storage, use or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Be it Enacted by The Legislature of Alabama:

Section 1. In addition to all other taxes imposed by law, every person, firm, or corporation who sells, stores, delivers, uses or otherwise consumes cigarettes or cigars in Franklin County shall pay a privilege, license or excise tax in the following amounts:

(a) One cent (\$.01) for each package of cigarettes, made of tobacco or any substitute therefor.

(b) One cent (\$.01) for each cigar of any description made of tobacco or any substitute therefor.

Provided, however, when the license tax hereby required to be paid shall have been paid by a wholesaler or seller of cigarettes and cigars such payment shall be sufficient, the intent being that such license tax hereby required to be paid shall be paid but once on each package of cigarettes and on each cigar.

Section 2. Every person, firm, corporation, club, or association that sells or stores or receives for the purpose of distribution in Franklin County any cigarettes or cigars shall add the amount of the license or privilege tax levied and assessed herein to the price of the cigarettes and cigars, it being the purpose and intent of this provision that the tax levied is, in fact, a levy on the consumer with the person, firm, corporation, club or association, who sells or stores or receives for the purpose of distributing the cigarettes or cigars, acting merely as agent for the collection of the tax. The dealer, storer, or distributor shall state the amount of the tax separately from the price of the cigarettes and cigars on all price display signs, sales or delivery slips, bills and statements which advertise or indicate the price of the cigarettes and cigars. It shall be unlawful for any dealer, storer or distributor engaged in or continuing in the county in the business for which the tax is hereby levied to fail or refuse to add to the sales price and collect from the purchaser the amount due on account of the tax herein provided or to refund or offer to refund all or any part of the amount collected or to absorb or advertise directly or indirectly the absorption of the tax or any portion thereof. Any person, firm, corporation, club or association violating any of the provisions of this section shall be guilty of a misdemeanor, and upon conviction shall be fined not more than one hundred dollars (\$100.00) or imprisoned in the county jail for not more than sixty days, or by both such fine and imprisonment. Each act in violation of this section shall constitute a separate offense.

Section 3. The tax hereby levied shall be paid by affixing stamps as is required for the payment of the tax imposed by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended. The state department of revenue shall have the same duties relative to the preparation and sale of stamps to evidence the payment of such tax that it has relative to the preparation and sale of stamps under that article; and may exercise the same powers and perform the same duties in the same manner relative to the collection of the tax hereby levied that it does relative to the collection of that tax.

Section 4. The state department of revenue is hereby authorized to promulgate and enforce rules and regulations to effectuate the purposes of this Act. All such rules and regulations duly promulgated shall the force and effect of law.

Section 5. All laws, and rules and regulations of the department of revenue, relating to the manner and time of payment of the tax levied by Title 51, Chapter 20, Article 9, Code of Alabama, 1940, as amended, requiring reports from dealers and prescribing penalties for violations shall apply with equal force to the tax levied by this Act as fully as it set out herein.

Section 6. The revenue collected from the tax hereby levied less any discount allowed on the sale of stamps and less the cost of collection as agreed on by the revenue department and the Franklin County governing body shall be paid to Franklin County and deposited in a special account separate and apart from other funds of the county. Such special fund is hereby appropriated for the following purposes only: 1) as a first charge, to provide 50 scholarships to cover cost of tuition and instruction fees at Northwest Alabama Junior College for 50 high school graduates of Franklin County, to be awarded in the manner provided for by an act of the 1963 legislature; and 2) as a second charge, to provide for the cost of construction of buildings or other capital improvements at the Northwest Alabama Junior College. The revenue department may retain so much of the first revenue collected after this Act becomes law as is necessary to pay for the initial supply of stamps and thereafter the department shall retain an amount sufficient to pay for such stamps purchased subsequent to the initial purchase. However, if the Franklin County governing body elects to do so, it may advance sufficient funds for the initial purchase of stamps and sufficient revenue from the tax hereby levied may be used to reimburse the fund from which the advancement was made.

Section 7. (a) None of the provisions of this Act shall be applied in such manner as to be in violation of the commerce or other clauses of the federal or state constitution. (b) This statute shall not be construed to apply to cigarettes and cigars stored by a wholesale dealer for the purpose of resale or reshipment outside Franklin County which are actually resold or reshipped.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. All laws or parts of laws which conflict with this Act are repealed.

Section 10. This Act shall become effective October 1, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF FRANKLIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Claude E. Sparks, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Franklin County Times, a newspaper of general circulation published in Franklin County, Alabama, and that the attached notices were published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

CLAUDE E. SPARKS.

Sworn to and subscribed before me Mae G. Streit, 7-8, 1963.

Commission expires 2-19-66
Title Notary Public.

By Mr. Avery (With Notice and Proof):

H. 757. To alter, re-arrange and extend the boundaries and corpo-

rate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Local Legislation No. 1.

Notice and Proof H. 757:

STATE OF ALABAMA
COUNTY OF HALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Be It Enacted by The Legislature of Alabama:

Section 1. The boundaries of the municipality of Greensboro in Hale County are hereby altered, re-arranged and extended so as to embrace within the corporate limits of said municipality all the territory now lying within said limits, and in addition thereto, the following described lands lying and being in said county, to-wit:

PARCEL I. Begin at the center of Section 21, Township 20 North, Range 5 East, Hale County, Alabama, and run West along the center section line for a distance of 2,635 feet to the West boundary of said Section 21; continue West along the centerline of Section 20 a distance of 330 feet to a point; thence North, parallel with the East boundary of said Section 20, for a distance of 660 feet to a point; thence West, parallel with the section line, 3,600 feet to a point; thence South, parallel with the West boundary of said Section 20, a distance of 2,350 feet, more or less, to a point on the South boundary of Cherokee Terrace Subdivision (a plat of the same is recorded in Map Book 1 page 32-B, Hale County public records); thence West along the said South boundary of Cherokee Terrace and an extension thereof 1,550 feet, more or less, to the West boundary of said Section 20, and continue West 840 feet to a point; thence North, parallel with the East boundary of Section 19 for a distance of 932 feet, more or less, to the Southeast corner of the present corporate limit; thence East along the present corporate limit 2,178 feet, more or less, to the East boundary of the West Half of the West Half of Section 20; thence North along the said boundary for a distance of 1,400 feet, more or less, to the East margin of Demopolis Street; thence run in a northeasterly direction along the said street margin 830 feet, more or less, to the South boundary of the North Half of the North Half of said Section 20; thence run East along the last said boundary and present corporate limit for a distance of 3,495 feet, more or less, to the East boundary of said Section 20; thence North along the section line 530 feet to a point; thence East and parallel with the North boundary of Section 21 for a distance of 3,172 feet to the Southeast corner of Lot 8, Block D of Park Place Sub-division (a plat of which is recorded in Deed Book R, Page 799, of Hale County public records); thence South for a distance of 446.5 feet to the Southeast corner of Park Place; thence run West along the South boundary of Park Place for a distance of 570 feet, more or less, to the West boundary of Northeast Quarter of Section 21; and thence run South along the center section line a distance of 1,440 feet, more or less, to the point of beginning. All of

the above lies and is situated in Sections 19, 20 and 21 of Township 20 North, Range 5 East, of St. Stephens meridian and base line, County of Hale and State of Alabama.

PARCEL II. Beginning at the Southeast corner of Section 16, Township 20 North, Range 5 East, Hale County, Alabama, and run West along the section line 898 feet, more or less, to the present corporate limit; thence north along the present corporate limit 1,361 feet, more or less, to the center of Caldwell Creek; thence southeasterly with the meanderings of said Caldwell Creek 2,000 feet, more or less, to its intersection with the East boundary of the West Half of the Southwest Quarter of the Southwest Quarter of Section 15; thence South, parallel with the Section line, a distance of 250 feet, more or less, to the South boundary of said Section 15; thence West along the Section line a distance of 660 feet to the point of beginning.

All of the above lies and is situated in Sections 15 and 16 of Township 20 North, Range 5 East of St. Stephens meridian and base line, County of Hale and State of Alabama.

The foregoing descriptions are in accordance with a survey made in June, 1963, by S. Gene Davis, a registered surveyor for Alabama, and plat of said survey is recorded in Map Book 1, page 61 of Section B, Hale County, Alabama, public records, and reference to said plat is hereby made, as it is a graphic representation of said descriptions and survey.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF HALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared N. H. Cobbs, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the THE GREENSBORO WATCHMAN, a newspaper of general circulation published in Hale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, 1963; June 27, 1963; July 4, 1963; and July 11, 1963.

N. H. COBBS.

Sworn to and subscribed before me July 11, 1963.

WILLIE L. ARRINGTON,
Title Notary Public.

By Mr. Barnett (With Notice and Proof):

H. 758. Relating to the Perry County Hospital Board; authorizing the expenditure of certain public hospital funds for training student nurses.

Local Legislation No. 1.

Notice and Proof H. 758:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the Perry County Hospital Board; authorizing the expenditure of certain public hospital funds for training student nurses.

Be it Enacted By The Legislature of Alabama:

Section 1. The Perry County Hospital Board, incorporated under authority of Act No. 46, S. 154, Regular Session 1949 (Acts 1949, p. 68), is hereby authorized to expend not in excess of \$9,000 from its operating or hospital tax revenues for the purpose of providing scholarships, paying tuition, fees, and other essential expenses incident to training student nurses for use in any public hospital or related facility under its jurisdiction and control.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

J. M. WALLACE.

Sworn to and subscribed before me July 8th, 1963.

ELIZABETH F. STEWART,
Title Notary Public, Perry Co.

By Mr. Stembridge:

H. 759. Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body.

Local Legislation No. 1.

By Mr. Campbell (Jackson) (With Notice and Proof):

H. 760. To alter, rearrange and extend the boundary lines and corporate limits of the city of Scottsboro, in Jackson County, Alabama, and to prescribe the time when this Act shall become effective.

Local Legislation No. 1.

Notice and Proof H. 760:

LEGAL NOTICE

An act to alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama, and to prescribe the time when this Act shall become effective:

Pursuant to the requirements of the Constitution and laws of the State of Alabama, notice is hereby given of the intention to apply to the Legislature of the State of Alabama at its present, next, or subsequent regular or special session for the passage of a local law, which said local law will alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro in Jackson County, Alabama, which local law is to be in substance as follows:

Be It Enacted By The Legislature of Alabama:

Section 1. That the boundary lines and corporate limits of the City of Scottsboro, in the County of Jackson, State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City of Scottsboro all of the territory lying within the County of Jackson included within the following boundaries namely;

Beginning at the Northeast corner of Section 20, Township 4 South, Range 6 East, and run West along the North boundary of Sections 20 and 19 of Township 4 South, Range 6 East, and the North boundary of Section 24, Township 4 South, Range 5 East, and to the Northwest corner of said Section 24; thence West along the North right of way line of the Old Larkinsville Road to the intersection with the East edge of what is known as Staples Lane; thence North along the East side of Staples Lane to a point opposite the Northeast corner of the Southwest quarter of the Southeast quarter of Section 14, Township 4 South, Range 5 East; thence West to the Northwest corner of the Southwest quarter of the Southeast quarter of Section 14, Township 4 South, Range 5 East; thence South along the North and South half section lines of Section 14 and Section 23; Township 4 South, Range 5 East, and to the point where the North and South half section line of Section 23 intersects the South right of way of the Lee Highway or U.S. Highway No. 72; thence East along the southern right of way of the Lee Highway, or U.S. Highway No. 72 to the point where said Southern right of way of said Highway intersects the west boundary of the East half of the Southeast quarter of said Section 23; thence South along the West boundary of the East half of the Southeast quarter of Section 23, and to the Southwest corner of the Southeast quarter of the Southeast quarter of said Section 23; thence East along the South boundary of said Section 23 and

the South boundary of Section 24, Township 4 South, Range 5 East and to the Northwest corner of the East half of the East half of the West half of the Northwest quarter of Section 25; Township 4 South of Range 5 East; thence South along the West boundary of the East half of the East half of the West half of the Northwest quarter of Section 25, Township 4 South of Range 5 East to the South boundary of the Northwest quarter of Section 25, Township 4 South of Range 5 East; thence East along the South boundary of the Northwest quarter of Section 25, Township 4 South of Range 5 East to the Southeast corner of the Northwest quarter of Section 25, Township 4 South of Range 5 East; thence South along the West boundary of the East half of Section 25 and the West boundary of the East half of Section 36, Township 4 South, Range 5 East, to the Southwest corner of the Southeast quarter of said Section 36; thence East along the South boundary of said Section to the Northwest corner of the Northeast quarter of the Northeast quarter of Section 1, Township 5 South, Range 5 East, at which there is a corner of the T. V. A. land, marked by a T.V.A. Marker No. 160; thence south 0 degrees 56' West 619 feet to T.V.A. Marker No. 159; thence North 88 degrees 57' East with the T.V.A. line to a corner on the East boundary of Section 1, Township 5 South, Range 5 East at which there is a T.V.A. Marker No. 158; thence continue with the T.V.A. boundary North 57 degrees 49' East to a corner on the North boundary of Section 6, Township 5 South, Range 6 East at which there is a T.V.A. Marker No. 43; thence East with the South boundary of Section 31, Township 4 South Range 6 East to a corner with the original T.V.A. lands at which was originally T.V.A. Marker No. 44; thence North with the original T.V.A. Severance line to a corner at the Northeast corner of the Southwest quarter of the Southwest quarter of Section 31, Township 4 South, Range 6 East; thence Northeast to a point on the North boundary of Section 32, Township 4 South, Range 6 East, at the Northeast corner of the Northwest quarter of the Northwest quarter of Section 32, Township 4 South, Range 6 East; thence East along the South boundary of Section 29 and Section 28, Township 4 South, Range 6 East to a corner at the Southeast corner of the Randall's Chapel Church Property, at which was originally T.V.A. Monument No. 16-A; thence North with the West right of way of a road which enters the Scottsboro-Fort Payne Highway at said Randall's Chapel to the point where said road intersects the North boundary of the Southwest quarter of said Section 28; thence West with the North boundary of the Southwest quarter of said Section 28; Township 4 South, Range 6 East to the Northwest corner thereof; thence North to the Northeast corner of Section 29, Township 4 South, Range 6 East; thence Northeast to the Southeast corner of the Northwest quarter of Section 21, Township 4, South Range 6 East; thence North along the East boundary of the Northwest quarter of said Section 21, Township 4 South, Range 6 East, and the East boundary of the Southwest quarter of Section 16, Township 4 South, Range 6 East to the point where the East boundary of the Southwest quarter of Section 16 intersects the Northwest right of way of the Lee Highway, or U.S. Highway No. 72; thence Southwest to the Southwest corner of said Section 16 and to the beginning corner.

Section 2. That all laws and parts of law general, special and local, in conflict with this Act, be and the same are hereby repealed.

Section 3. That this Act shall go into effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
JACKSON COUNTY

Before me, the undersigned authority in and for said County and State, this day personally appeared Fred Buchheit, who, being by me first

duly sworn, deposes and says that during the times herein mentioned, he was publisher, editor of the Sentinel-Age, a newspaper of general circulation published in Jackson County, Alabama and that the notice attached hereto was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 23, June 30, July 7, and July 14, all in the year 1963.

FRED J. BUCHHEIT,
Publisher, Editor.

Sworn to and subscribed before me this the 15th day of July, 1963.

EVELYN TUBBS,
Notary Public.

By Messrs. Bowers, Bethea (M), Vacca, Burns, Locke, Brown (Jefferson), Turner (Crenshaw), Barnett, Nettles, Mashburn, Davis, Moore, Heflin, Powell, Edwards (Escambia), Campbell (Jackson), Downing, Smith, Casey, Turnham, Perry, Steagall, Branyon, Gilmore, Hawkins, Brown (Tuscaloosa), Rast, Etheredge, Bailes, Collins, Albea, Burnham, Salter, Daniel, Pierce, Edington, Fields, Cooper, and Dominick:

H. 761. Relating to marriages; outlawing common law marriage.

Business and Labor.

By Messrs. Collins and Brewer:

H. 762. To amend Code of Alabama 1940, Title 16, Section 1, which relates to descent of real estate of persons dying intestate.

Judiciary.

By Messrs. Collins and Bowers:

H. 763. Relating to the state revenue; providing certain exemptions from the state sales and use taxes.

Ways and Means.

By Messrs. Brown (Jefferson), Rast, Etheredge, Meeks, Dominick, Perry, Bowers, Collins, Bailes, Hawkins, Gilmore, Morrow, Bethea (B), Sessions and Vacca:

H. 764. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, to authorize and empower the Legislature by general or local laws to fix, regulate, and change the jurisdiction of any or all inferior courts established in lieu of Justices of the Peace in Jefferson County, in all civil cases so long as the amount in controversy does not exceed five hundred dollars, except in cases of libel, slander, assault and battery, and ejectment; and to ratify, validate, and confirm all acts of the Legislature, whether general or local, providing for such change in jurisdiction prior to the adoption of this amendment, and all judgments of such courts rendered pursuant to such acts.

Local Legislation No. 2.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Vacca, Gilmore, Meeks, Dominick, Bethea (M), Perry, Brown (Jefferson), Bowers, Collins, Bailes, Hawkins, Morrow, Bethea (B) and Sessions (With Notice and Proof):

H. 765. To require the payment to the sheriff of Jefferson County, Alabama, of a fee of five dollars (\$5.00) for each pistol permit issued by him; to provide that the sheriff shall pay the said five dollars (\$5.00) to the county treasurer; to provide that the county treasurer shall deposit fifty cents (50c) of said fee in the general fund of the county and shall pay four dollars and fifty cents (\$4.50) of said fee to the fund of the retirement system for county employees of Jefferson County established by Act No. 551 of The Legislature of Alabama of 1953, approved September 9, 1953, (Acts of Alabama, 1953, pages 766, et seq.) so long as the benefits paid under said Act No. 551 are less than the benefits provided for by the schedule of specific benefits stated in said Act; to provide that when the aforesaid four dollars and fifty cents (\$4.50) of said fee is not paid the said fund established by Act No. 551 the said four dollars and fifty cents (\$4.50) shall be paid to the fund of the retirement system for county employees established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.); to provide that the collection of said fee shall not commence until Act No. 343 of the Legislature of Alabama of 1953, approved August 7, 1953, (Acts of Alabama of 1953, page 404, et seq.) has been repealed; and to repeal all laws and parts of laws in conflict with this Act.

Local Legislation No. 2.

Notice and Proof H. 765:

LEGAL NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To require the payment to the sheriff of Jefferson County, Alabama, of a fee of Five Dollars (\$5.00) for each pistol permit issued by him; to provide that the sheriff shall pay the said Five Dollars (\$5.00) to the County Treasurer; to provide that the County Treasurer shall deposit fifty cents (50c) of said fee in the general fund of the County and shall pay four dollars and fifty cents (\$4.50) of said fee to the fund of the retirement system for County employees of Jefferson County established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, (acts of Alabama, 1953, pages 766, et seq.) so long as the benefits paid under said act No. 551 are less than the benefits provided for by the schedule of specific benefits stated in said act; to provide that when the aforesaid four dollars and fifty cents (\$4.50) of said fee is not paid the said fund established by Act No. 551 the said four dollars and fifty cents (\$4.50) shall be paid to the fund of the retirement system for County Employees established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.); to provide that the collection of said fee shall not commence until Act No. 343 of the Legislature of Alabama of 1953, approved August 7, 1953, (Acts of Alabama of 1953, page 404, et seq.) has been repealed; and to repeal all laws and parts of laws in conflict with this act.

Be It Enacted by The Legislature of Alabama:

Section 1. Definitions. In this Act the following words, terms and

phrases, wherever used herein, shall have the meanings respectively ascribed to them in this section, unless the context plainly indicates a contrary meaning: (a) "The County" shall mean Jefferson County, Alabama; (b) "The Sheriff" shall mean the Sheriff of Jefferson County, Alabama; (c) "The Treasurer" shall mean the County Treasurer of Jefferson County, Alabama; (d) "Act No. 343" shall mean Act No. 343 of the Legislature of Alabama of 1953, approved August 7, 1953, (Acts of Alabama of 1953, pages 404, et seq.); (e) "Act No. 551" shall mean Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, (Acts of Alabama of 1953, pages 776, et seq.); (f) "Acts No. 843" shall mean Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.)

Section 2. The Sheriff shall collect a fee of Five Dollars (\$5.00) for each pistol permit issued by him. The said fee shall be in addition to any other fees required by law to be charged for the issuance of a pistol permit. The Sheriff shall pay all such fees to the Treasurer, who shall disburse the said fee as hereinafter prescribed in Section 3.

Section 3. (a) The Treasurer shall pay Fifty Cents (50c) of said fee to the general fund of the County.

(b) So long as the retirement system established by Act No. 551 pays to the beneficiaries of said system benefits which are less than the specific benefits prescribed by said Act, as a consequence of the specific benefits being reduced as provided for by subsection (j) of Section 5 of said Act No. 551, the Treasurer shall pay Four Dollars and Fifty Cents (\$4.50) of the said permit fee into the fund of the retirement system established by said Act No. 551; and the said Four Dollars and Fifty Cents (\$4.50) shall be used in the administration of said last named retirement system. This said subsection (b) shall not apply when the said retirement system established by Act No. 551 is paying the maximum specific benefits prescribed by said Act No. 551.

(c) At any time the Treasurer is not required to pay Four Dollars and Fifty Cents (\$4.50) of the said fee into the fund established by Act No. 551 under subsection (b), above, the Treasurer shall pay the said Four Dollars and Fifty Cents (\$4.50) into the fund of the retirement system established by Act No. 843; and the said Four Dollars and Fifty Cents (\$4.50) shall be used in the administration of said last named retirement system. This subsection (c) shall not apply when the said retirement system established by Act No. 551 is not paying the maximum specific benefits prescribed by said Act No. 551.

Section 4. The permit fee prescribed by this Act shall not be payable until Act No. 343 has been repealed.

Section 5. The provisions of this Act shall be severable and if any of its sections, provisions, sentences, clauses, or phrases are held to be unconstitutional or void, the remainder of this Act shall continue in full force and effect.

Section 6. All laws or parts of laws whether special, general or local in conflict with this Act are hereby expressly repealed.

Section 7. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to the Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 15, 22, 29, and July 6, 1963, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this 8th day of July, 1963.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Vacca, Gilmore, Meeks, Dominick, Bethea (M), Perry, Brown (Jefferson), Bowers, Collins, Bailes, Hawkins, Locke, Morrow, Bethea (B) and Sessions:

H. 766. To repeal Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953 (Acts of Alabama of 1953, Page 404, et seq.), and any other Act of the Legislature establishing or providing for any supplemental retirement fund for deputy sheriffs and other persons employed by the sheriff in counties having a population of 400,000 or more according to the last or any future federal census, to provide for the liquidation and distribution of any such supplemental retirement fund, to provide for securing in said liquidation and distribution the payment of benefits due or to become due under any such Act and to provide that any surplus in such fund shall be paid into the fund of the pension system of the general employees of the county to which system the said deputy sheriffs and other employees belonged prior to retirement.

Local Legislation No. 2.

By Messrs. Rast, Brown (Jefferson), Etheredge, Meeks, Dominick, Bethea (M), Perry, Bowers, Collins, Bailes, Locke, Morrow, Bethea (B), Sessions, Vacca and Gilmore:

H. 767. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

Local Legislation No. 2.

By Messrs. Brown (Jefferson), Gilmore, Crawford, Bowers, Bethea (M), Meeks, Vacca, Sessions, Perry, Morrow, Etheredge, Rast, Bailes, Collins, Dominick, Campbell (Tuscaloosa), Bethea (B):

H. 768. To provide that any city or town in the state having a commission form of government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of com-

missioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by commissioners; to prohibit commissioners from holding other public offices; to prohibit any commissioner, officer or employee of the municipality from having any interest in any contract with the municipality; to bar persons related to any commissioner from holding public office; to provide punishment for violation of such prohibitions; to require the publication of financial reports of the municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of commissioners and other disbursements of the municipality; to provide that meetings of the board of commissioners shall be open to the public; to provide a manner for changing the form of government of the municipality; to provide for the presentation of a petition calling for the resignation of a commissioner, and to establish requirements for the signing thereof; to provide a fee for the judge of probate for examining such petition; to provide a penalty for violation of the restrictions on signing such a petition; to provide for an election to recall a commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in municipalities situated in more than one county.

Local Government.

By Messrs. Perry, Rast, Etheredge, Brown (Jefferson), Meeks, Dominick, Locke, Bowers, Morrow, Sessions, Vacca, Gilmore, Collins (With Notice and Proof):

H. 769. To further amend Sections 3, 7 and 9 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Local Legislation No. 2.

Notice and Proof H. 769:

NOTICE

Notice is hereby given that at the present session of the Legislature of Alabama, application will be made to the Legislature that the following bill be enacted:

A BILL TO BE ENTITLED AN ACT

To further amend Sections 3, 7 and 9 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Be It Enacted By The Legislature of Alabama:

Section 1. Section 3 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, is further amended to read as follows:

"Section 3. (a) "PRESENT EMPLOYEES": Any person who is an employee or officer of Jefferson County on the date of establishment of this General Retirement System shall, except as hereinafter provided, be

eligible for membership and shall become a member as of such date unless within a period of thirty (30) days thereafter he files with the Board on a blank provided by the personnel director or by the Board for that purpose, an election not to become a member, such election to be irrevocable. Provided, however, any employee who was an employee on December 1, 1961, and who was over the age of 55 years on December 1st, 1961, and who elected not to become a member shall now be eligible for membership and shall become a member as of December 1st, 1963, provided that within a period of 30 days after December 1st, 1963, he files with the Board on a blank provided by the personnel director or by the Board for that purpose, an election to become a member, such election to be irrevocable. (b) "Members of Existing Retirement System": All employees who have become members of a retirement system under said Act No. 551 of September 9, 1953, shall not be permitted to become members under the present act. (c) "Future Employees": Any person who becomes an officer or an employee after the retirement system under the present act is established shall not be required to become a member during the first two years he serves as an officer or an employee; and any person who becomes an officer or an employee after the establishment of the said system shall become a member thereof commencing the first calendar month subsequent to the second anniversary of his becoming an officer or an employee, unless some provision hereof declares that he is ineligible for membership in the said system. Any person who has become an officer or an employee after the date of the establishment of said retirement system and prior to the effective date of this sentence may elect to become a member of the said system by filing with the personnel director an election to do so within thirty days from the effective date of this sentence on a form provided by the personnel director for that purpose; and any person who becomes an officer or employee after the effective date of this sentence may become a member of the said system by filing with the personnel director within thirty days after he becomes an officer or employee an election to become a member thereof on a form provided by the personnel director; provided, however, that no person whose employment is "temporary," as defined by any merit system in operation in the said county, shall be eligible for membership during the period of such temporary employment. Upon any such officer or employee making such election, he shall become a member of the said pension system commencing on the first day of the calendar month next following that month in which his election is filed with the personnel director; and the election shall be irrevocable. (d) "Report of County Officials": It shall be the duty of the county personnel board, the head of each agency of the county government employing persons who are members or are entitled to become members, to submit to the board such statements as the board shall require as to the name, title, compensation, duties, date of birth, and length of service of each such person employed by such agency.

Section 2. Section 7 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, is amended to read as follows:

"Section 7. "Investment of Funds": The Pension Board shall invest the funds of the retirement system not currently needed, in bonds of the United States Government, or general obligation bonds of the State of Alabama, or general obligation bonds or warrants of the county or in Federal Savings and Loan Associations, or in other corporations having Federal Savings and Loan Associations guarantee but shall not invest more than \$10,000.00 in any such association or corporation, or in Savings Accounts, including Certificates of Deposits, in Banks which are members of the Federal Deposit Insurance Corporation and any amount invested in such Savings Accounts or Certificates of Deposit shall be collaterally secured by such Bank depositing with the County Treasurer bonds of the State of Alabama or bonds of the United States of America in a like amount to be held as security for such Savings Accounts or Certificates of Deposit."

Section 3. Section 9 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961, is amended to read as follows:

"Section 9. "Retirement for Superannuation": (a) Requirements: Whenever any person who is a member of the retirement system has made contributions to the system for a period of not less than ten years and has attained the age of sixty years, he shall be eligible for retirement for superannuation but such retirement shall not be compulsory. Provided, however, that any member who has attained the age of 55 years on January 1st, 1962, and has made contributions to the system for a period of not less than five years and has attained the age of sixty years shall be eligible for retirement for superannuation but such retirement shall not be compulsory. Any member shall be eligible for retirement for superannuation upon the completion of thirty or more years of service; provided, however, that if at the time of retirement such member has not attained the age of sixty years, the amount of his monthly pension, computed in accordance with the formulas set forth in subsection (b) hereof, shall be reduced in the amount hereinafter provided in sub-section (2) hereof. Any member who is eligible for retirement, and who desires to retire, shall be granted the benefits herein provided for upon a written application by himself or, in the event he is mentally or physically incapacitated, by someone acting in his behalf, such application to be filed in the office of the Board. (b) Benefits: Upon retirement, if such member is then age sixty or has previously attained his sixtieth birthday, he shall receive a monthly pension for the remainder of his life to be determined by the formula:

(i) One and three-fourth per cent (1 3/4%) of his average monthly rate; of compensation for the sixty months immediately preceding his retirement date multiplied by the number of years of his creditable service as shall not exceed twenty years; provided further, that no part of any monthly compensation in excess of Four Hundred Dollars (\$400) shall be considered in determining "Average monthly rate of compensation"; plus

(ii) One per cent (1%) of his Final Average Monthly Compensation multiplied by the number of years of his creditable service as may exceed twenty years; provided that no part of any monthly compensation in excess of Four Hundred Dollars (\$400) shall be considered in determining "Final Average Monthly Compensation for the purposes of this sub-section.

(1) In computing the amount of benefits under the foregoing formula, the Board may disregard a fractional part of a year of creditable service less than one-twelfth.

(2) If such member shall have completed at least thirty years creditable service prior to retirement but shall not have attained his sixtieth birthday on or before his date of retirement he shall receive a monthly pension payable for the remainder of his life to be determined by multiplying the monthly pension determined in accordance with the formula set forth in sub-section (b) hereof by the percentage factor shown in the following schedule corresponding to the age of such member on his last birthday preceding the date of retirement.

Age of Members on
Last Birthday Pre-
ceding Retirement.

Reduced Pension on
Account of Retirement
before Age 60
Expressed as a Per-
centage of the Pen-
sion Which Would
Have Been Payable
at Date of Retirement
if the Member
were Then Age 60.

58	87
57	82
56	77
55	72
54	68
53	64
52	60
51	57
50	54
49	51
48	48

Section 4: This act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie who, being by me first duly sworn, deposes and says that she is the Publisher of Alabama Legal Advertiser, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959, and which has been published consecutively weekly since said date. Ant that there was published in said newspaper in the issues of June 22, 29, July 6, 13, 1963, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn to and subscribed to on this the 15 day of July, 1963.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Bethea (M) and Rast:

H. 770. Relating to municipal corporations; prescribing penalties for failure of cities and towns or instrumentalities thereof to provide necessary and reasonable municipal services to any plant, factory, or other business establishment, or to its employees, during strikes or work stoppages.

Business and Labor.

By Messrs. Bethea (M) and Rast:

H. 771. Relating to public utility companies; providing penalties for refusal to furnish normal utility services to plants, factories, or other business establishments, or to their employees, during strikes or work stoppages.

Business and Labor.

By Mr. Meeks:

H. 772. To amend Code of Alabama 1940, Title 50, Section 16, which relates to bonds of contractors contracting for public works; providing that such a bond must contain an obligation for the payment of premiums on insurance and bonds required by law or by the contract.

Insurance.

By Messrs. Hannah and Boston:

H. 773. To amend Section 2 of Act No. 52, H. 111, Second Special Session 1963, in relation to the date for holding the election on the constitutional amendment proposed by said Act.

Local Legislation No. 1.

By Messrs. Hannah and Boston:

H. 774. To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census, to be paid out of the county treasury of such counties.

Local Legislation No. 1.

By Messrs. Hannah and Boston:

H. 775. Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit.

Local Legislation No. 1.

By Mr. Moore (With Notice and Proof):

H. 776. To repeal an act entitled "An Act, relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 471, Regular Session 1961 (Acts 1961, Vol. 1, page 381), an act abolishing the Fine and Forfeiture Fund of the County."

Local Legislation No. 1.

Notice and Proof H. 776:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal an act entitled "An Act, relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 471, Regular Session 1961 (Acts 1961, Vol. 1, page 381), an act abolishing the Fine and Forfeiture Fund of the County."

Be It Enacted By The Legislature of Alabama:

Section 1. That an act entitled "An Act, relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 471, Regular Session 1961 (Acts 1961, Vol. 1, Page 381), an act abolishing the Fine and Forfeiture Fund of the County," approved March 8, 1963, Act No. 35 of the 1963 Special Session of the Legislature, be and the same is hereby expressly repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said county in said State, this day personally appeared Arthur F. Slaton, who being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the state of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

ARTHUR F. SLATON.

Sworn to and subscribed before me this 8 day of July 1963.

R. E. PROCTOR,
Notary Public.

By Mr. Moore (With Notice and Proof):

H. 777. Relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 741, Regular Session 1961 (Acts 1961, Vol. 1, Page 381), an act abolishing the Fine and Forfeiture Fund of the County.

Local Legislation No. 1.

Notice and Proof H. 777:

STATE OF ALABAMA COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 741, Regular Session 1961 (Acts 1961, Vol. 1, Page 381), an act abolishing the Fine and Forfeiture Fund of the County.

Be It Enacted By The Legislature of Alabama:

Section 1. That an act entitled "An Act relating to Lawrence County abolishing the Fine and Forefeiture Fund of Lawrence County, and providing that all monies now in the Fine and Forfeiture Fund or hereafter collected for such fund shall be paid into the general fund of such county and that all claims due or to become due from the Fine and Forfeiture Fund shall be paid from the general fund of the county; providing that witness certificates obtained as a state's witness before the grand jury or the circuit court, county court or other inferior court in which a criminal prosecution is pending shall be paid from the general fund on presentation; providing that all monies now held or hereafter collected as witness fees for state's witnesses in the circuit court, county court or other inferior court shall be paid on collection into the general fund of the county," approved August 7, 1961, be and the same is hereby expressly repealed.

Section 2. That after the passage and approval of this Act all fines and forfeitures imposed by the Courts in Lawrence County shall be paid in money, and shall go into the County Treasury in such a fund to be known as the Fine and Forfeiture Fund.

Section 3. Whenever there is a surplus of funds arising from the fines and forfeitures in the County Treasury over and above the amount required to pay registered claims of State Witnesses, the surplus may be used to pay officers in the manner prescribed by Title 15, Chapter 19, Code of Alabama 1940.

Section 4. That all witness claims accrued under the provisions of Act No. 362, H. 471, that have been registered against the general fund, are hereby transferred in the order of their registration as claimed against the Fine and Forfeiture Fund hereby created. No witness fees shall be registered against or paid out of the general fund after the passage and approval of this Act.

Section 5. That all claims of fees of officers accrued under the provisions of Act No. 362, H. 471, that have been registered against the general fund, are hereby transferred in the order of their registration as claimed against the Fine and Forfeiture Fund hereby created. No fees of officers shall be registered against or paid out of the general fund after the passage and approval of this Act.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

ARTHUR F. SLATON.

Sworn to and suscribed before me July 8, 1963.

R. E. PROCTOR,
Title Notary Public.

By Mr. Moore:

H. 778. To amend further Section 7, Title 60, Code of Alabama 1940, as amended, which relates to the widows of Confederate veterans who are enlisted to pensions.

Ways and Means.

By Mr. Turnham (With Notice and Proof):

H. 779. Relating to Lee County; authorizing the county to pay the expenses of the sheriff and his deputies incurred in attending approved courses in law enforcement training; giving the Act limited retroactive effect.

Local Legislation No. 1.

Notice and Proof H. 779:

A BILL
TO BE ENTITLED
AN ACT

Relating to Lee County; authorizing the county to pay the expenses of the sheriff and his deputies incurred in attending approved courses in law enforcement training; giving the Act limited retroactive effect.

Be It Enacted By The Legislature of Alabama:

Section 1. The court of county commissioners, board of revenue, or other like governing body of Lee County may appropriate county funds for the purpose of paying the reasonable and necessary expenses incurred by the sheriff or his deputies in attending approved courses in law enforcement training, in such amounts as the Governing Body of Lee County may determine proper.

Section 2. This Act shall take effect immediately and shall have retroactive effect to March 31, 1963. That is, the Act shall have prospective operation, and appropriations may be made for reimbursement of any expenses incurred by the sheriff or his deputies at any time after March 31, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was president of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, 11, 18, and 25, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me July 9, 1963.

DOROTHY W. MITCHELL.
Title Notary Public.

By Mr. Turnham (With Notice and Proof):

H. 780. To amend Act No. 394, H. 828, Regular Session 1961 (Acts 1961, v. 1, p. 406) in relation to the compensation of the chief deputy and other deputies and assistants of the sheriff of Lee County.

Local Legislation No. 1.

Notice and Proof H. 780:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 394, H. 828, Regular Session 1961 (Acts 1961, v. 1, p. 406) in relation to the compensation of the chief deputy and other deputies and assistants of the sheriff of Lee County.

Be It Enacted By The Legislature of Alabama:

Section 1. Act No. 394, H. 828, Regular Session 1961 (Acts 1961, v. 1, p. 406), Section 1, is hereby amended to read as follows:

"Section 1. The board of revenue, court or county commissioners or other like governing body of Lee County shall provide the sheriff of the county with one chief deputy and two assistant deputies and in its discretion two additional assistant deputies, one jailer and one deputy clerk. The chief deputy shall receive not less than 250 nor more than \$420 monthly; each assistant deputy shall receive not less than \$200 nor more than \$370 monthly; the jailer shall receive not less than \$150 nor more than \$270 monthly; and the deputy clerk shall receive not less than \$100 nor more than \$200 monthly. The exact amount of compensation to be paid to each of such deputies and assistants shall be fixed by the county governing body and shall be paid out of the general fund of the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was president of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, 11, 18, and 25, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me July 9, 1963.

DOROTHY W. MITCHELL.
Title Notary Public.

By Mr. Turnham (With Notice and Proof):

H. 781. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners or like governing body of Lee County.

Local Legislation No. 1.

Notice and Proof H. 781:

A BILL
TO BE ENTITLED
AN ACT

To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners or like governing body of Lee County.

Be It Enacted By The Legislature of Alabama:

Section 1. Each member of the board of revenue, court of county commissioners or like governing body of Lee County shall be entitled to an allowance for expenses payable from any funds in the county treasury not otherwise appropriated in the amount of \$50 a month. The expense allowance herein provided for shall be in addition to all other compensation and allowances provided members of the county governing body by general, special or local laws.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LEE

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Wear, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was president of the Opelika Daily News, Inc., a newspaper of general circulation published in Lee County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 4, June 11, June 18, and June 25, all in the year 1963.

W. C. WEAR, JR.

Sworn to and subscribed before me July 9, 1963.

DOROTHY W. MITCHELL,
Title Notary Public.

By Mr. Turnham:

H. 782. To provide for the appointment, qualifications, and compensation of the state superintendent of education; amending Code 1940, Title 52, Section 41, and expressly repealing conflicting laws.

Education.

By Mr. Turnham:

H. 783. To amend Code of Alabama, 1940, Title 52, Section 14, by empowering the state board of education to appoint the state superintendent of education at such time as the Constitution of Alabama is amended to permit such appointment.

Education.

By Mr. Turnham:

H. 784. Proposing a constitutional amendment relative to the selection, powers, duties, and tenure of office of the state board of education and the state superintendent of education.

Education.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Turnham, Fite, Thomas, Turner (Crenshaw), Cooper, Cantrell, Crawford, Young, Hannah, Davis, Camp, Harper, Avery, Carr, Burnham, Paulk, Salter, and Powell:

H. 785. To appropriate \$300,000 annually or as much thereof as may be necessary from the Alabama Special Educational Trust Fund to the State Board of Education as a part of the Minimum Program Fund, in addition to all other appropriations in the Minimum Program Fund, for the education and training of exceptional children including the administration, maintenance, and operation of classrooms, classes, and teachers for such classes in accordance with Act No. 67, approved June 27, 1963.

Ways and Means.

By Mr. Turnham:

H. 786. To regulate further the payment of aid to dependent children; forbidding payment of such aid to the mother of an illegitimate child unless such mother discloses the name of the father of the child and agrees to cooperate with the department of pensions and security in endeavoring to obtain support for such child from its father in such manner as the department prescribes.

Public Welfare.

By Mr. Turner (Limestone).

H. 787. To provide for the inspection of meat and poultry processing plants by requiring the Commissioner of Agriculture and Industries to perform such inspection duties and to inspect meat and meat products for wholesomeness; to require an annual permit for the operation of meat and poultry processing plants and the fee to be charged therefor; to authorize the adoption of rules, regulations, standards and specifications for the operation of meat and poultry processing plants and for wholesomeness inspection.

tion of meat and meat products; to provide other administrative and enforcement requirements and penalties for violations of this Act; to make an appropriation to defray the expenses incident to the administration and enforcement of this Act for the two fiscal years ending September 30, 1964 and September 30, 1965.

Ways and Means.

By Messrs. Baker (Madison), Reynolds and Pennington:

H. 788. Relating to municipalities having a mayor-council form of government; further regulating the election, compensation, powers and duties of the mayor in all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent federal decennial census, and repealing conflicting laws.

Local Legislation No. 1.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 789. To amend Act No. 395, H. 833, Regular Session 1961 (Acts 1961, v. 1, p. 407), an act providing for the election of the mayor and council in cities having populations of not less than 70,000 nor more than 120,000, in relation to the amount of the qualifying fee required of candidates for mayor or councilman.

Local Legislation No. 1.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 790. To amend Act No. 125, S. 29, Special Session 1961, an act providing further for the compensation of circuit court judges in counties having populations of not less than 110,000 nor more than 150,000.

Local Legislation No. 1.

By Messrs. Pennington and Owens:

H. 791. Further regulating the establishment and enforcement of materialmen's liens upon land and improvements thereon.

Judiciary.

By Messrs. Pennington, Reynolds, Baker (Madison) and Paulk:

H. 792. To abolish the state board of health and the state committee of health as presently constituted, and to create in lieu thereof the state board of public health; to provide for the nomination and appointment and prescribe the terms, compensation, powers, duties and authority of members of the state board of public health; to transfer to the state board of public health all the rights, powers, duties, jurisdiction and authority, books, records and effects of the state board of health and the state committee of public health; and to repeal conflicting laws.

Health.

By Mr. Fite (With Notice and Proof):

H. 793. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Marion County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 793:

STATE OF ALABAMA
COUNTY OF MARION

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Marion County, Alabama.

Be It Enacted By The Legislature of Alabama:

Section 1. This act shall apply to and govern all suits, both in law and equity, hereafter filed in the following courts: (1) the Circuit Court of Marion County, Alabama; (2) the Marion County Superior Court of Marion County, Alabama; and (3) any other court of record which may hereafter be established by law in Marion County in lieu of either of said courts, or exercising concurrent jurisdiction, in whole or in part, either at law or in equity, with the Circuit Court of said county. It shall not apply to or affect any case pending in any court on the date of its enactment. It shall not apply to the Probate Court of said county.

Section 2. It shall be proper and permissible to adjudicate and settle in a single suit, in so far as practicable, all issues, whether direct, indirect, remote, contingent, conditional, or collateral, arising out of the same transaction, occurrence, or event, or relating to the same subject matter. For this purpose, the plaintiff may, in addition to indispensable parties or necessary parties, join any of the following persons as defendants:

(a) Every person who will be adversely affected by the judgment, either directly, or indirectly, remotely, contingently, conditionally or collaterally, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(b) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, although such person may not be directly interested in or connected with the subject matter or object of the suit;

(c) Every person who, by contract or otherwise, shall be directly, indirectly, remotely, contingently, conditionally, or collaterally liable to pay the judgment in the case, or any part thereof, either as surety, guarantor, indemnitor, insurer, re-insurer, or otherwise, and by reason of such direct, indirect, remote, contingent, conditional, or collateral liability, shall be entitled by contract or otherwise, to defend the suit, participate in the defense of the suit, control the proceedings, participate in the control of the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit;

(d) Every person who, by contract or otherwise, shall have the right

to defend the suit, participate in the defense of the suit, control the proceedings, hire or designate defense counsel, participate in the employment or selection of defense counsel, or appeal from the judgment, whether or not such person is directly interested in or connected with the subject matter or object of the suit.

Section 3. When any person who should or may join as plaintiff refuses to do so, he may be made a party defendant or, in a proper case, an involuntary plaintiff. In any cross-complaint, cross-bill, cross-petition, cross-suit, or cross-action, the cross-plaintiff, cross-complainant, or cross-petitioner may name as cross-defendants or cross-respondents any person or persons whom he might properly have named as defendants or respondents in an original complaint, bill, petition, suit, or action if he had been first to file his complaint, bill, petition, suit, or action in the matter.

Section 4. It shall be no objection, either to the pleadings, proceedings, or the rendition of judgment that the different defendants are liable for different amounts or that they are sued for different amounts but judgment shall be rendered against the different defendants according to their respective liabilities.

Section 5. For the purposes of this act, unless the context indicates otherwise, the term "plaintiff" includes cross-plaintiff, complainant, cross-complainant, petitioner, and cross-petitioner; the term "defendant" includes cross-defendant, respondent, and cross-respondent; and the term "suit" includes every type and kind of action, cross-action, and cross-suit, both at law and in equity.

Section 6. Nothing in this act shall be construed to authorize the bringing of any suit in Marion County where it could not be properly brought except for the passage of this act.

Section 7. If any section, sentence, clause, or provision of this act shall be declared to be invalid or unconstitutional, it shall not affect the validity of any remaining section, sentence, clause, or provision hereof. If any specific application of any section, sentence, clause, or provision of this act shall be declared or held to be invalid or unconstitutional, such declaration or holding shall not affect the validity of such section, sentence, clause, or provision, as to any other application which is not in and of itself invalid or unconstitutional.

Section 8. All laws and parts of laws in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 9. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARION

Before me, the undersigned authority in and for said County in said State, this day personally appeared S. L. Masdon, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor and Publisher of The Marion County Star, a newspaper of general circulation published in Marion County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 1, May 8, May 15, and May 22, all in the year 1963.

S. L. MASDON, JR.

Sworn to and subscribed before me May 24, 1963.

ROBERT H. THOMAS,
Title Notary Public.

By Mr. Fite:

H. 794. To amend Section 119, Title 5 of the Code of Alabama 1940, as amended, so as to specify more in detail public funds the deposit of which may be secured by banks in this state.

Ways and Means.

By Mr. Fite:

H. 795. To authorize the governing bodies of any two or more counties, or the governing bodies of any two or more municipalities within a single county, or the governing bodies of any two or more municipalities situated within different counties, or the governing bodies of any one or more counties and the governing bodies of any one or more municipalities situated in whole or in part in any one of said counties to establish regions for planning purposes and to appoint regional planning commissions.

Local Government.

By Mr. Fite:

H. 796. To authorize and empower all planning commissions, planning boards or other planning agencies within the State of Alabama, whether designated state, regional, joint, county, municipal or otherwise, to perform comprehensive planning and related activities, including transportation planning, for the respective geographical areas as to which planning power has heretofore been delegated to such commissions, boards, or other agencies by the Legislature of Alabama; to provide that, where now or hereafter authorized by compact or otherwise, such comprehensive planning may embrace areas where rapid urbanization has occurred or is expected to occur and which said areas extend into adjoining states; to authorize said commissions, boards and other agencies, upon request, to provide planning assistance to cities, other municipalities, groups of adjacent communities and regional planning agencies; and to authorize said commissions, boards and other agencies to contract for and to accept and utilize grants and other assistance for planning from any and all agencies which nor or hereafter legally may contract as to make grants or afford other assistance for comprehensive planning.

Local Government.

By Mr. Fite:

H. 797. To further amend Section 2 of Act No. 100, Second Special Session 1959, so as to provide for payment of the tax on automotive vehicles, truck trailers, semi-trailers or house trailers, withdrawn from stock for use in the business of the taxpayer.

Ways and Means.

By Mr. Fite:

H. 798. To provide for a credit to the tax levied by Section 788, Title 51, Code of Alabama 1940, as amended, for sales or use taxes paid to any other state.

Ways and Means.

By Mr. Fite:

H. 799. Relating to public health; to further amend Section 9 of Title 22, Code of Alabama 1940 (Title 22, Section 9, Code of Alabama, Re-compiled 1958); as last amended by Act No. 357, Acts 1957, approved August 23, 1957.

Ways and Means.

By Mr. Carr (With Notice and Proof):

H. 800. Relating to Marshall County; providing deputies and other assistants for the sheriff and fixing their compensation; repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H. 800:

NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; providing deputies and other assistants for the sheriff and fixing their compensation; repealing conflicting laws.

Be It Enacted By The Legislature of Alabama:

Section 1. In addition to the chief deputy sheriff, the sheriff of Marshall County may appoint five deputies and one jailer whose compensation shall be payable by the county. The compensation of the chief deputy shall be a salary of \$400 a month; four deputies shall each be paid a salary of \$300 a month; one deputy shall be paid a salary of \$200 a month; and the jailer shall be paid a salary of \$225 a month. The compensation of the deputies shall be preferred claims against the general funds of the county and shall be paid on warrants drawn in the manner prescribed by law.

Section 2. The provisions of Act No. 65, H. 146, Regular Session 1951 (Acts 1951, v. 1, p. 283), as amended, and all other laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

STATE OF ALABAMA COUNTY OF MARSHALL

Before the undersigned authority personally appeared Leroy Sumners,

who being first duly sworn deposes and says that he is the Owner of the Boaz Leader, a newspaper published in Marshall County, Alabama; that he has published the notice in the above captioned cause in said newspaper for 4 successive issues of said paper, published in the issue of said paper dated June 6, 13, 20, 27, 1963 respectively, of which said notice a copy of the same being hereto attached and made a part of this affidavit, being marked Exhibit "A", that the charge for such publication is \$17.87 which affiant claims is cost in said cause above named.

LEROY SUMNERS.

Sworn to and subscribed to before me this 9 day of July 1963.

ERNEST B. JENKINS.
Notary Public.

By Mr. Carr (With Notice and Proof):

H. 801. Relating to Marshall County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants and the office space and equipment necessary for the conduct of their offices.

Local Legislation No. 1.

Notice and Proof H. 801:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants and the office space and equipment necessary for the conduct of their offices.

Be It Enacted By The Legislature of Alabama:

Section 1. The following officers of Marshall County shall receive the following annual salaries in lieu of all other compensations:

(a) Judge of Probate - Salary - Twelve Thousand dollars (\$12,000.00)- Expenses - Twelve Hundred dollars (\$1,200.00); (b) Tax Assessor - Ten Thousand dollars (\$10,000.00); (c) Tax Collector - Ten thousand dollars (\$10,000.00); (d) Circuit Clerk - Seven Thousand Two Hundred dollars (\$7,200.00); (e) Register of Circuit Court - Five Thousand (\$5,000.00; (f) Sheriff - Ten Thousand Dollars (\$10,000.00).

Section 2. The governing body of Marshall County shall provide the officers enumerated in Section 1 of this Act allowances for the purpose of hiring clerks, deputies, other assistants and an allowance for the sheriff for the purchase and operation of automotive equipment, as follows:

(a) Office of the judge of probate: a maximum of Thirteen Thousand dollars (\$13,000.00) annually;

(b) Office of the Tax Assessor; a maximum of Seven Thousand Five Hundred dollars (\$7,500.00) annually;

(c) Office of the Tax Collector a maximum of Seven Thousand dollars (\$7,000.00) annually;

(d) Office of the Circuit Clerk a maximum of Ten Thousand dollars (\$10,000.00) annually;

(e) Office of Register of Circuit Court a maximum of Seven Thousand Five Hundred dollars (\$7,500.00) annually;

(f) Office of the Sheriff; for deputies and other assistants; a maximum of twenty four thousand three hundred dollars (\$24,300.00) annually;

(g) Office of the Sheriff; for the purchase and operation of automotive equipment; a maximum of Twelve Thousand dollars (\$12,000.00) annually;

Section 3. All fees, commissions, allowances, percentages, charges, and costs heretofore collected for the use of any of the officers enumerated in Section 1 of this Act shall be collected for the use of the county and paid into the county treasury. The compensation of the officers enumerated in Section 1 of this Act and of their clerks, deputies, and assistants shall be paid in monthly installments from the county treasury in the same manner as employees of the county are paid. The automotive allowance for the office of sheriff shall likewise be paid in monthly installments.

Section 4. The governing body of Marshall County shall provide the judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and the register of the circuit court with the necessary quarters, books, stationery, office equipment, supplies, postage, and other conveniences and equipment for the proper and efficient conduct of the affairs of their offices, including an allowance for the purchase of automobiles and the operation thereof for the use of the sheriff and his deputies on official business.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective as to each officer named herein upon the expiration of the term of the incumbent of the office, provided that there is adopted an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the fees, commissions, percentages, allowances, or salaries of, and the method of compensating, the judge of probate, sheriff, tax assessor, tax collector, circuit clerk, and register of the circuit court of Marshall County.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. W. Crowe, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was

Publisher of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

FORREST W. CROWE.

Sworn to and subscribed before me July 15, 1963.

JESSE A. CULP,
Notary Public.

By Mr. Carr (With Notice and Proof):

H. 802. Relating to Marshall County; abolishing the Board of Revenue and Control and creating in lieu thereof the Commission on Government and Finance of Marshall County; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members; and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 802:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Marshall County; abolishing the Board of Revenue and Control and creating in lieu thereof the Commission on Government and Finance of Marshall County; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members; and prescribing penalties.

Be It Enacted By The Legislature of Alabama:

Section 1. The Board of Revenue and Control of Marshall County created by Act No. 264, H. 756, Regular Session 1955 (Acts 1955, p. 612), is abolished and there is created in lieu thereof the Commission on Government and Finance of Marshall County, to be composed of a chairman thereof and four associate members.

Section 2. The incumbent chairman (probate judge ex officio) and associate members of the Board of Revenue and Control of Marshall County shall serve as chairman and associate members of the Commission on

Government and Finance of Marshall County until their successors are elected and qualified as herein prescribed. At the general election to be held in November 1966 and every four years thereafter the chairman of the commission shall be elected by the qualified voters of the county at large and the associate members of the commission shall be elected by qualified voters of their respective districts. The chairman may reside in any precinct or district of the county. Each associate member shall be a resident and qualified elector of one of the districts established by Section 3 of this Act and shall continue to reside therein during the term of office for which elected. The chairman and associate members of the commission shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified. In the event of a vacancy on the commission, the vacancy shall be filled by appointment by the Governor for the unexpired term.

Section 3. For the purpose of fixing the residence qualification of associate members of the commission and the jurisdiction of roads in the county, Marshall County is divided into the following district: District No. 1 shall be composed of the territory included within the present boundaries of precincts 1, 15, 14, 25, 29, 27, 12, 21, 26; District No. 2 shall be composed of the territory included within the present boundaries of precincts 7, 10, 11, 2, 23, 9, 30, 19; District No. 3 shall be composed of the territory included within the present boundaries of precincts 16, 22, 13, 28, 4, 2, 3; District No. 4 shall be composed of the territory included within the boundaries of precincts 20, 5, 24, 18, 6, 17.

Section 4. The chairman of the commission shall have a vote on all questions coming before the commission, shall be its presiding officer, shall sign the minutes of the proceedings of the commission, and shall have the same power and authority as the other members in passing on all questions before the commission. He shall sign and draw all warrants drawn on the county depositories, and all orders for the payment and disbursement of the funds of the county, and shall sign all contracts along with at least two other members entered into by the Commission on Government and Finance of Marshall County for and on behalf of the county. The chairman shall prepare business and obtain information for the sessions of the commission, see that all orders thereof are properly issued, supervise the operation of the office, keeping of books and records, the keeping and recording of accurate minutes of each meeting of the commission, and exercise all the powers and perform all the duties required of judges of probate as to matters coming before the courts of county commissioners.

Section 5. Except as otherwise provided in this Act the Commission on Government and Finance of Marshall County shall have all the jurisdiction and powers which are, or which hereafter may be vested in courts of county commissioners or other like county governing bodies by the general laws of the State, or vested in the governing body of Marshall County by local law; and the members of the commission shall perform all the duties and services and exercise all the powers which are or which hereafter may be, provided by law for members of courts of county commissioners or other like county governing bodies, or for members of the governing body of Marshall County. The commission by majority vote may appoint a chief clerk to the commission. The commission may appoint as many assistant clerks as are necessary for the convenient and orderly transaction of its business, and the annual total salaries for such employees may not exceed \$13,000.

Section 6. Each member of the commission shall devote his entire time to the duties of his office, and shall attend the meetings of the commission, which shall hold its session on Monday of each week and may continue in session as long as may be necessary to conduct the business of the county. The commission may adjourn its meetings to any day which it may

desire and may hold sessions at any time upon the call of the chairman. Three members of the commission shall constitute a quorum for the transaction of business.

Section 7. Each associate member and the chairman of the commission shall receive a salary of \$6,000 per annum and \$1,200 per year expenses and also shall receive reimbursement of actual expenses for travel on official business outside the county as full compensation for the services required of them by this Act, which shall be payable monthly out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or of the gasoline or motor fuels tax monies appropriated to the county. It is provided, however, that each associate member of the commission shall be furnished, at the expense of the county, a pickup truck or a low-cost passenger car to be used by such members in carrying out their duties of office. Such vehicles shall be plainly marked as county vehicles and shall not be used for personal business or pleasure. As compensation for the services required of him by this Act, the judge of probate shall be paid a salary of \$100.00 per month, as temporary chairman, payable monthly, out of the general fund of the county or out of any monies belonging to the road and bridge fund of the county or out of the gasoline or motor fuels tax monies appropriated to the county, which shall be in full of all compensation to be paid to him for such services.

Section 8. Farm-to-market roads within the county shall be constructed and maintained by the commission. The commission may employ, and when necessary terminate the employment of, an engineer and such assistants as are necessary properly to construct, repair, and maintain the farm-to-market roads. Other county roads and bridges shall be constructed, repaired and maintained by the commission on a district basis. Each associate member of the commission shall serve as supervisor of roads within his district, and may employ, supervise, direct, and when necessary terminate the employment of, such assistants and labor as are necessary properly to construct, repair, and maintain such other county roads and bridges within his district.

Section 9. It shall be the duty of each associate member of the commission from the four districts of the county, in each December, to file for record with the commission a sworn statement and inventory of all the equipment, machinery, and property of the county in his custody or under his control. The use of any county equipment, materials, or supplies or property of any nature in the custody of or under control of the commission or any member thereof for any kind of work, job, or project on property not owned by the county (excepting church grounds or cemeteries or on property outside of the county, or the authorization of such work by the commission or by any member of the commission, shall result in forfeiture of office and removal by impeachment of such member or members and in addition thereto such member or members shall forfeit the penal sum of \$5,000 to be recovered by suit brought by any qualified elector of the county, one half for use of such elector and one half for use of the county.

Section 10. No work shall be authorized or performed by the commission or any member of the commission for any municipality of the county having population of more than 750 persons requiring the use of county equipment, materials, supplies or labor unless such work is first authorized pursuant to a written contract between the municipality and the commission under which the municipality agrees to pay the full cost of labor, materials, and supplies so used in such work. Chert, dirt or gravel taken from county-owned property may be loaded by county equipment and sold to private firms, municipalities or individuals and charges for the material shall be made at current market rates in addition to current market rates for loading. Detailed and accurate records of such work and such sales shall be kept by the commission and together with all other records of the com-

mission shall be made immediately available to any qualified elector of the county.

Section 11. Effective upon the passage of this act and its becoming law, the Commission on Government and Finance shall make all purchases for all county offices herein named, in the manner herein prescribed, except the effective date for the beginning of purchases by the commission for the office of Sheriff shall be at the expiration of the present term of office of the sheriff or at the beginning of the newly elected sheriff's term of office in January, 1967. All purchases of equipment and supplies required by the respective offices of judge of probate, sheriff, register of circuit court, clerk of the circuit court, tax collector, tax assessor and commission on government and finance, and all purchases of all supplies, materials, appliances, equipment, machinery, tools, lumber, dynamite, grease, gasoline, fuel oil, cylinder oil, motor oil, cement, crushed stone, rock, sand, gravel, asphalt, graders, tractors, trucks, automobiles, rollers, terracing machines, rock crushers, culvert pipe, and all other road machinery, road building appliances, equipment and materials used by any member of the commission in his district, or by the commission as a whole, or by the county, or any officer or agent of the county, except the county board of education, and also supplies of any kind or description, materials, appliances, equipment, fuel and coal for the county courthouse, jail or any other county building and any county offices, shall be made only by purchase order which shall not be valid unless signed by not less than three members of the commission if such purchase shall be in an amount less than \$300, except as otherwise specifically provided in Section 15 of this Act.

Section 12. Any purchase order of \$300 or more shall be made on the basis of competitive bidding in the manner herein prescribed. Such orders of the commission shall specify the article or articles to be purchased, the number of quantity thereof, and shall contain a specification and description thereof sufficient to enable the chairman to give the notice herein-after required requesting bids for such article or articles. Such purchase orders shall not be valid unless signed by at least four of the five-man commission. Within two days after such order of the commission the chairman shall post upon a bulletin board to be situated immediately inside or outside his office in the courthouse a notice, called a purchase notice, which shall state that the commission has ordered the purchase of the article or articles described in the order of the commission, for delivery at a place or places to be specified in said notice, and that sealed bids therefor will be received by the commission during the seven days immediately succeeding, unless the commission in its order provides that a longer time to be specified as the time within which bids will be received. All purchase notices shall be numbered consecutively and shall be made out in duplicate, and one copy thereof shall be retained as a permanent record and shall contain a certificate of the chairman as to the date of the posting of the other copy thereof upon the bulletin board. At the expiration of the time fixed for receiving bids, the chairman shall open the bids and shall report all bids to the commission at its next meeting, and thereupon the commission may either accept the lowest responsible bid and order the chairman to issue a purchase order in accordance therewith or direct the chairman to obtain other and further bids in the same manner hereinabove provided. All sealed bids received by the chairman shall be opened in his office and shall be open to public inspection as opened, and the opening of bids shall commence at 10 o'clock a.m. on the seventh day following the date on which invitations to bid were posted. The names of all bidders, the amounts bid, complete description or itemization of items bid on, and the terms of the bid shall be released as information for publication to all county newspapers. All purchase orders shall be numbered consecutively and shall be made out in triplicate, and shall state the number of the purchase notice pertaining thereto, and shall contain a description of the property to be purchased, the price therefor, the place where delivery is to be made, and such other matter as the commission may prescribe. One copy of said pur-

chase order shall be delivered to the seller and on copy thereof shall be forwarded to the person who in behalf of the county is to receive the property purchased, and the other copy shall be retained with the records of the commission. The person who is to receive the property purchased in behalf of the county shall upon receipt thereof, endorse upon the copy of the purchase order forwarded to him, upon a form to be prescribed by the commission, the facts as to whether or not all of the property described in said purchase order was received by him, and as to the condition in which the same was received, and shall deliver said copy to the chairman within five days after the receipt of the property involved. Every claim filed against the county for the purchase price of value of any of the goods or articles hereinabove specified, shall state the number of the purchase order pertaining to said claim. Neither the chairman nor the commission shall have authority to accept any bid unless at the time of accepting the same the county has funds on hand sufficient to pay for the same.

Section 13. After the effective date of this Act, no lease-sale contract or contract for the rental or hire of any of the property mentioned in Sections 11 and 12 shall be made by the commission, or any member thereof, unless such contract be authorized by resolution or order of the commission made at a regular meeting of the commission, and entered on its minutes, which resolution or order shall be made only upon the favorable vote of all members of the commission. Such order or resolution of the commission must have been passed before the delivery of the property involved and otherwise shall be void. Any and all lease-sale contracts, or contracts for the rental or hire of any such property, not made in conformity with the foregoing provisions shall be null and void and it shall be unlawful for a warrant to issue in payment of the rental or hire or use thereof and the said County of Marshall shall not be liable in any form of action or suit whatsoever for the rental or hire or use of any of such property except under and by virtue of an express contract made as provided in this section.

Section 14. Gasoline, fuel oil, motor oil, cylinder oil, tires and tubes, food for county prisoners, or either of them, may be purchased in the manner provided in Section 11 of this Act, or the commission may enter into contracts for the purchase of the same, which contracts shall contain such terms as the commission may desire, provided that bids for such contracts shall be procured in the manner provided in Section 12 and the contracts let by the commission to the lowest responsible bidder or bidders. The commission may make one or several contracts for the purchase of said articles for concurrent terms and the member of the commission using or desiring any of such items may order the same from any person with whom the county has entered into a contract for the purchase of the same.

Section 15. Each member of the commission shall have authority in emergencies, and in cases where work on the roads within his district would otherwise be unduly delayed, to purchase such materials and equipment as may be needed to properly perform the work on the roads within his district without order of the board, and without compliance with the provisions of Section 11 of this Act; provided that the cost of any such material or equipment purchased shall be reasonable and shall not exceed the sum of \$100.00 in any instance. Each member of the commission shall likewise have authority to have any road machinery or equipment used on the public roads within his district repaired without an order of the commission authorizing the same, provided that the county shall not be liable in any event for more than the reasonable cost of any such repairs, any agreement of any member of the commission to the contrary notwithstanding. Each member of the commission making a purchase under the provisions of this section shall make out a purchase order in triplicate which shall state the property purchased, the price therefor and from whom purchased, and the number of his district, and all such purchase orders shall be numbered consecutively, and one copy thereof shall be delivered to the seller, one shall

be filed with the records of the commission, and one shall be retained by the member of the commission issuing the same and all claims against the county on account of any such purchase shall state the number of the district for which such property was purchased and the number of the purchasing order pertaining thereto, and all such claims shall be null and void unless such purchase order shall have been duly issued.

Section 16. All laws or parts of laws which conflict with this Act are repealed.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. This Act shall not affect rights and duties that matured, penalties that were incurred, or proceedings that were begun, before its effective date.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared F. W. Crowe, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Sand Mountain Reporter, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1963.

FORREST W. CROWE.

Sworn to and subscribed before me July 15, 1963.

JESSE A. CULP,
Title Notary Public.

By Mr. Carr (With Notice and Proof):

H. 803 To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months and prescribing penalties.

Local Legislation No. 1.

Notice and Proof H. 803:

NOTICE

STATE OF ALABAMA COUNTY OF MARSHALL

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months; and prescribing penalties.

Be it enacted by the Legislature of Alabama:

Section 1. It shall be unlawful for any person to use any hoop and fyke net, gill net, trammel net, snagline or any other kind of commercial fishing gear, except a setline or trotline, in taking or capturing fish from the public impounded waters and navigable streams in Marshall County except during the months of October, November, December, January and February, notwithstanding the fact that such person may be licensed by the State Department of Conservation to use such gear in any other county.

Section 2. Any person, firm, copartnership, association or corporation, violating any of the provisions of this Act shall be guilty of a misdemeanor and upon conviction shall be punished by a fine of not less than one hundred dollars nor more than four hundred dollars, and in addition thereto all commercial fishing gear, implements, instruments, appliances or things of whatsoever nature used in connection with the commission of such misdemeanor, if the owner be unknown, shall be seized and confiscated and shall become the property of the Game and Fish Division of the Department of Conservation and shall be disposed of as ordered by the Director of Conservation, and such fishing gear, implements, instruments, appliances or things of whatsoever nature used in connection with the commission of such misdemeanor, if the owner be known, shall be seized and confiscated and shall be disposed of as ordered by the court having jurisdiction thereof.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MARSHALL

Before me, the undersigned authority in and for said County in said State, this day personally appeared Porter Harvey, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor and publisher of the Advertiser-Glean, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 5, 12, 19, and 28, all in the year 1963.

PORTER HARVEY.

Sworn to and subscribed before me July 15, 1963.

ALICE WELLS HARVEY,
Title Notary Public.

By Messrs. Reynolds, Pennington and Baker (Madison):

H. 804. Relating to education; authorizing the Alabama Education Authority to issue and sell additional bonds in the principal sum of \$900,000 for the purpose of constructing a library at the Alabama Agricultural and Mechanical College.

Ways and Means.

By Messrs. Engel, McDermott, Hogan, Rogers, Edington, Downing and Smith (With Notice and Proof):

H. 805. Relating to Mobile County; authorizing the Board of School Commissioners to provide insurance against loss or damage by fire, lightning, windstorm, hail, or other peril, for any or all school buildings and property, equipment, furniture or supplies belonging to such buildings or stored therein which are used or held in trust for school purposes, either in an insurance company chosen by the Board or in the State Insurance Fund.

Local Legislation No. 3.

Notice and Proof H. 805:

LEGAL NOTICE

Pursuant to constitutional requirement, notice is hereby given that a bill will be introduced at the present session of the Legislature of Alabama for the purpose of authorizing the Board of School Commissioners of Mobile County to provide insurance against loss or damage by fire, lightning, windstorm, hail, or other peril, for any or all school buildings and property, equipment, furniture or supplies belonging to such buildings or stored therein which are used or held in trust for school purposes, either by an insurance company chosen by the Board or in the State Insurance Fund.

W. F. Egan being sworn, says that he is comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 23, 30 June 6, 13, 1963.

W. F. EGAN.

Sworn to and subscribed before me this 18th day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Engel, McDermott, Hogan, Rogers, Edington, Downing and Smith (With Notice and Proof):

H. 806. To amend an Act of the General Assembly of Alabama approved February 15, 1876 and entitled "An Act to regulate public schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 19, 1947, by (1) amending that portion of Section 5 of the Act restricting the expenditure of money to purchase or lease property for school purposes necessary for the proper accommodation and comfort of pupils and teachers and for the compensation and bonds of the officers, agents and employees of the Board to twenty per centum (20%) of the income of the said Board, exclusive of the amounts derived from the State Educational Fund by eliminating the exclusion from the income of the Board the amounts derived from the State Educational fund; and by specifically exempting from the 20% limitation sums expended for constructing, furnishing and equipping of school buildings; (2) and by amending Section 5 of said Act by including specifically in the powers of the Board of School

Commissioners of Mobile County, the power to invest, in obligations of the United States of America, whether interest-bearing obligations or obligations purchased at discount, moneys in the hands of the Board accumulated from any source, whether from sale of warrants or otherwise, and held in advance of expenditure by the Board in the conduct and performance of its duties and functions.

Local Legislation No. 3.

Notice and Proof H. 806:

LEGAL NOTICE

NOTICE

TO WHOM IT MAY CONCERN:

Notice is hereby given that at the present session of the Legislature of the State of Alabama, a Bill will be introduced to amend Act of the General Assembly of Alabama approved February 15, 1876 and entitled "An Act to Regulate Public Schools in the County of Mobile," as last amended by Act of Legislature of Alabama, approved September 19, 1947, by (1) Amending that portion of the Act restricting the expenditure of money to purchase or lease property for school purposes necessary for the proper accommodation and comfort of pupils and teachers and for the compensation and bonds of the officers, agents and employees of the Board, to twenty per centum (20 per cent) of the income of the said Board exclusive of the amount derived from the State Educational Fund, by eliminating the exclusion from the income of the Board the amount derived from the State Educational Fund; and by specifically exempting from the 20 per cent limitation, sums expended from constructing, furnishing and equipping of school buildings; and (2) by amending said Section 5 of said Act to include specifically within the powers of the Board of School Commissioners of Mobile County, the power, in the exercise of reasonable prudence, to invest funds, derived from the sale of capital outlay warrants and held pending the expenditure thereof for the contemplated capital improvements, and funds from any other source accumulated and held in advance of expenditures, in the operation of the public schools of the County, in obligations of the United States of America, whether interest-bearing obligations or obligations purchased at discount.

C. R. Willisson being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register May 23, 30, June 6, 13, 1963.

C. R. WILLISSON.

Sworn to and subscribed before me This 13 day of June 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. McDermott, Engel, Hogan, Edington, Downing and Smith:

H. 807. To provide further for the recordation of lease agreements.

Judiciary.

By Mr. Smith:

H. 808. To amend and reenact Act No. 934, H. 1268, Regular Session 1961 (Acts 1961, p. 1506), which provides for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census.

Local Legislation No. 3.

By Messrs. Engel and Rogers (With Notice and Proof):

H. 809. To further amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act: To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation out of the General Fund of Mobile County, Alabama.

Local Legislation No. 3.

Notice and Proof H. 809:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To further amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act, To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation out of the General Fund of Mobile County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act, To establish in Mobile County, Alabama, the position of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama, and Legal Stenographer of the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation and provide for the payment of their compensation out of the General Fund of Mobile County, Alabama, is amended to read as follows:

Section 4. The Administrative Assistant to the Circuit Solicitor shall receive as compensation for such services the sum of not less than forty-eight hundred dollars annually and not more than six thousand six hundred dollars annually, the amount to be fixed by the Circuit Solicitor and the Legal Stenographer to the Circuit Solicitor shall receive as compensation for such services the sum of not less than thirty-six hundred dollars annually

and not more than forty-eight hundred dollars annually, the amount to be fixed by the Circuit Solicitor, payable in equal monthly installments out of the General Fund of Mobile County, Alabama.

Section 2. This Act shall become effective on the first day of the month following its passage and approval by the Governor or upon its otherwise becoming a law.

W. F. Egan being sworn, says that he is Comptroller of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issues of The Mobile Register June 12, 19, 26 and July 3, 1963.

WILLIAM F. EGAN.

Sworn to and subscribed before me This 3 day of July 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. McDermott and Engel:

H. 810. To amend and reenact an Act relating to appeals by and on behalf of counties classified according to population, to extend the applicability of the Act.

Local Legislation No. 3.

By Messrs. McDermott and Engel:

H. 811. Relating to elections; authorizing the court of county commissioners, board of revenue or like governing body of certain counties classified according to population to adopt and prescribe the number of voters to be assigned to voting machines on the basis of the type of election held and probable voter participation in such elections.

Local Legislation No. 3.

By Mr. Engel:

H. 812. To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000 according to the last or any subsequent federal decennial census: to exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases; to require deputy sheriffs in such counties to execute official bonds, conditioned, payable, and approved as the bonds of sheriffs; and to provide for the payment of the premium on such bonds out of the county treasury.

Local Legislation No. 3.

By Mr. Engel (With Notice and Proof):

H. 813. To amend Code of Alaama 1940, Title 62, Section 114, in relation to the county and city of Mobile and the appointment of humane officers.

Local Legislation No. 3.

Notice and Proof H. 813:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MOBILE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 62, Section 114, in relation to the county and city of Mobile and the appointment of humane officers.

Be it enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 62, Section 114 is hereby amended to read as follows:

"Section 114. The county and city of Mobile shall each have and select a humane officer subject to the civil service system law and rules and regulations of the merit system applicable to the county and city. The compensation of each of such officers shall be fixed and determined in accordance with the pay plan of the county and city personnel board; the salary of the humane officer appointed by the city shall be paid by the city, and the compensation of the county humane officer shall be paid by the county. Also, each officer shall be provided an automobile by the city and county, respectively, for his use in the performance of his duties. It shall be the duty of the humane officer to give first aid treatment to all sick and injured animals within his territory, without charge, when called upon for said service by a citizen, and he shall perform such other duties as may be required of him by law, or required of him by any organization or society under the law. He shall also act in cooperation with the federal and state authorities in the enforcement of all tick eradication laws or regulations in force in Mobile County or City, as the case may be."

Section 2. This Act shall take effect on the first day of the month next following the date of its enactment.

C. R. Willisson being sworn, says that he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama; and the attached notice appeared in the issue of The Mobile Register June 24, July 1, 8 and 15, 1963.

C. R. WILLISSON.

Sworn to and subscribed before me This 15 day of July 1963.

EDWIN LEE PERKINS.
Notary Public.

By Messrs. Engel, McDermott and Hogan:

H. 814. To amend further Act No. 678, H. 1364, Regular Session 1961 (Acts 1961, p. 940), an Act regulating the practice of barbering in counties having populations of not less than 300,000 nor more than 500,000.

Local Legislation No. 3.

By Messrs. Engel, McDermott and Hogan:

H. 815. Defining "dangerous drugs"; regulating the possession, handling, sale, obtaining, and distribution of "dangerous drugs"; providing for injunction to prevent violations; providing penalties for violations; concerning evidence, the burden of proof and procedure in trials for violations of the act; repealing Act No. 314, S. 112, Regular Session 1947, regulating the possession and sale of barbiturates, and acts amendatory thereof, and Act No. 189, H. 232, Extra Session 1961, p. 2159, regulating the possession and sale of amphetamines and other stimulating drugs, and all other laws and parts of laws in conflict herewith, including those provisions of Code of Alabama 1940, Title 22, Chapter 10, which conflict herewith.

Health.

By Messrs. McDermott and Engel:

H. 816. To repeal Act No. 629, H. 1028, Regular Session 1947, (Acts 1947, p. 997) relating to the issuance of permits for the erection, construction, moving or abolishing of certain buildings outside the corporate limits of municipalities in counties having populations of 200,000 or more.

Local Legislation No. 3.

By Messrs. McDermott and Engel:

H. 817. Relating to counties having not less than 300,000 nor more than 600,000 populations authorizing the expenditure of certain special recording fees for the purpose of modernizing the records and records system of various courts of the county.

Local Legislation No. 3.

By Messrs. McDermott, Hogan and Engel:

H. 818. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officer, and fix their compensation.

Local Legislation No. 3.

By Messrs. Jones (Monroe) and Brewer:

H. 819. To amend Sections 9 and 14 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended, so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any combination thereof, so as to authorize any such district

to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems and so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used.

Local Government.

By Messrs. Pierce, Goldthwaite, Goodwyn and Little (With Notice and Proof):

H. 820. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 21, 22, 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 1.

Notice and Proof H. 820:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 21, 22, 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be it enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama be, and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said city certain additional territory lying within the following described boundaries, to-wit:

Beginning at a point on the east side of Carter Hill Road 660.0 feet south of the North line of Section 28 T 16 N, R 18E; thence easterly and parallel with the north line of said Section 28 to the east line of said Section 28; thence easterly and parallel with the north line of Section 27, T 16N, R 18E to a point 463.54 feet west of the east line of the northwest quarter of said Section 27; thence north and parallel with the east line of the Northwest quarter of said Section 27 660.0 feet to the north line of said Section 27 or the south line of Section 22, T 16N, R 18E; thence north and parallel with the east line of the southwest quarter of said Section 22 and the extension thereof to the north side of the Vaughn Road; thence east along the north side of the Vaughn Road a distance of 7.3 feet to the Southeast corner of Lot 2 according to the Correction Map of the Hill Lands in the North Half of Section 22, T 16N, R 18E; thence north along the east line of said Lot 2 to the Northeast corner of said Lot 2 being on the north line of Section 22, T 16N, R 18E; thence west along the north line of said Section 22 a distance of 888.0 feet to the northeast corner of Lot 1 according to the Correction Map of the Hill Lands in the north half of Section 22, T 16N, R 18E said point being 1305.0 feet east of the northwest corner of said Section 22; thence south along the east line of said lot 1 to the north side of the Vaughn Road; thence west

along the north side of Vaughn Road to the westerly right-of-way of the Central of Georgia Railroad; thence southeasterly along the westerly right-of-way of the Central of Georgia Railroad to the intersection of said right-of-way with the east side of Carter Hill Road; thence south along the east side of Carter Hill Road to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Ruth E. Moore, a Notary Public in and for said State and County personally appeared Betty Shine, bookkeeper for "The Advertiser Company, Inc.", publishers of the Alabama Journal, a newspaper published in the City of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the said newspaper published in said City and County of Montgomery on May 29, June 5, 12 and 19, 1963.

BETTY SHINE.

Sworn to and subscribed before me, this the 25th day of June, 1963.

RUTH E. MOORE,
Notary Public.

By Mr. Goldthwaite:

H. 821. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

Insurance.

By Mr. Goldthwaite:

H. 822. Relating to investments for insurance companies.

Insurance.

By Messrs. Goldthwaite and Fields:

H. 823. To amend Section 7 of Title 28 of the Code of Alabama (1940) relating to the incontestability of life insurance policies.

Insurance.

By Mr. Goldthwaite:

H. 824. Proposing an amendment to the Constitution of Alabama relating to retaliatory taxes on foreign insurance companies.

Insurance.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Goldthwaite and Fields:

H. 825. To amend Section 825 of Title 51 of the Code of Alabama (1940); to provide for retaliation against insurance companies of any other state or foreign country on account of taxes, licenses and other fees, fines, penalties, deposit requirements or other material obligations which are or would be imposed upon Alabama insurance companies, their agents or representatives, which are in excess of such taxes, licenses and other fees, fines, penalties, deposit requirements or other obligations imposed upon similar insurance companies or agents or representatives of such insurance companies of such other state or country under the statutes of this state; providing for the inclusion of taxes, licenses or other fees imposed by any city, county or other political subdivision or agency of such other state or country to be within the purview of this Act; providing for the exclusion from the operation of this Act of personal income taxes, ad valorem taxes on real or personal property, special purpose obligations or assessments imposed by another state in connection with particular kinds of insurance other than property insurance; defining domicile of an alien insurance company for the purpose of this Act, other than an insurance company formed under the laws of Canada; and providing for an effective day for this Act.

Insurance.

By Messrs. Goldthwaite and Fields:

H. 826. To regulate, tax, supervise and control placement of insurance with insurers not-admitted to Alabama.

Insurance.

By Messrs. Goldthwaite, Casey, Avery and Paulk:

H. 827. To amend Section 199, Title 17, Code of Alabama, 1940, relating to canvassing votes after an election, and the time and manner thereof.

Constitution and Elections.

By Messrs. Goldthwaite, Casey, Avery and Paulk:

H. 828. To amend Section 77, Title 17, Code of Alabama, 1940, as amended, relating to election precincts and districts.

Constitution and Elections.

By Messrs. Goldthwaite, Casey, Avery and Paulk:

H. 829. To amend Section 197, Title 17, Code of Alabama, 1940, relating to the time of making election returns.

Constitution and Elections.

By Messrs. Goldthwaite, Casey, Avery and Paulk:

H. 830. To amend Section 360, Title 17, Code of Alabama, 1940, relating to elections and pertaining to the duties of the Sheriff, Marshall, and Chief of Police.

Constitution and Elections.

By Mr. Goodwyn:

H. 831. To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America, pursuant to section 903 of the Social Security Act, as amended, for the purpose of acquiring land or lands adjoining or adjacent to the building now being built by the State of Alabama on the north side of Monroe Street in the City of Montgomery to be occupied by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama, said land or lands to be used for automobile parking purposes by employees of the said division of Employment Security.

Judiciary.

By Mr. Goodwyn:

H. 832. To provide for the liquidation of the obligation of the State of Alabama to the Treasurer of the United States as a result of benefits paid under the Temporary Unemployment Compensation Act of 1958.

Judiciary.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 833. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947 (Local Acts 1947, p. 45), an act providing for the appointment of a deputy clerk for the circuit court of Morgan County.

Local Legislation No. 1.

Notice and Proof H. 833:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947 (Local Acts 1947, p. 45), an act providing for the appointment of a deputy clerk for the circuit court of Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 64, H. 259, Regular Session 1947 (Local Acts 1947, p. 45), an act providing for the appointment of a deputy clerk for the circuit court of Morgan County, as amended, is amended further to read as follows:

"Section 1. The clerk of the circuit court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy clerk and a clerical assistant for such courts. The deputy clerk shall possess all the powers and authority, both ministerial and judicial, now or hereafter possessed by the circuit clerk by whom the deputy clerk is appointed.

The compensation of the deputy clerk and the clerical assistant shall be fixed by the circuit clerk and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy clerk and the clerical assistant provided herein shall not exceed eight thousand eight hundred dollars (\$8,800) per annum."

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the The Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

JACK W. HOFFHAUS,

Sworn to and subscribed before me July 3, 1963.

WILMA V. NEWMAN,
Title Notary Public.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 834. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Local Legislation No. 1.

Notice and Proof H. 834:

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Decatur in Morgan County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

A tract of land containing 51.66 acres lying in the E $\frac{1}{2}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31, Township 5 South, Range 4 West, described as

beginning at the southeast corner of Section 31, Township 5 South, Range 4 West, and running north along section line 3207.78 feet to a point on the westerly right of way line of the L & N Railroad; thence turning an angle of 171 degrees 11 minutes measured clockwise from back tangent and running northwesterly along said right of way line 23.38 feet to the true point of beginning; thence continuing northwesterly along said right of way line 765.41 feet to a point; thence turning a deflection angle of 81 degrees 11 minutes to the left and running west 2244.93 feet to a point; thence turning an angle of 90 degrees and running north 628.26 feet to a point; thence turning an angle of 85 degrees 27 minutes measured clockwise from back tangent and running westerly 431.16 feet more or less to the centerline of a public road; thence running southerly along the center line of said public road to an iron pin, said pin being the southeast corner of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 31; thence running along quarter section line 756.37 feet to a point; thence turning an angle of 90 degrees 03 minutes measured clockwise from back tangent and running east 2676.23 feet to the true point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 18th, June 25th, July 2nd, and July 9th, all in the year 1963.

B. C. SHELTON.

Sworn to and subscribed before me July 11th, 1963.

R. H. JERVIS,
Title Notary Public.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 835. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance.

Local Legislation No. 1.

Notice and Proof H. 835:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows, will be in-

troduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 1 of Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for his clerical assistance, as amended, is further amended to read as follows:

"Section 1. The judge of probate of Morgan County, Alabama, shall receive an annual salary of ten thousand dollars (\$10,000). Such salary shall be in lieu of all other compensation, commissions, allowances, fees, costs, percentages and emoluments to such office, except as herein otherwise provided."

Section 2. Section 4 of said Act No. 70, Regular Session 1943, as amended, is further amended to read as follows:

"Section 4. The Board of Revenue and Control of Morgan County, Alabama, or other like governing body of the county, shall provide the judge of probate with the necessary books, records, equipment, furniture, fixtures, stationery, postage, and other supplies, and with sufficient clerks and assistants. The judge shall have the authority to select and employ and discharge at will his clerks and assistants, and to fix their compensation, but the total compensation of such clerks and assistants shall not exceed such sum as the Board of Revenue and Control or other county governing body shall allow therefor, not to exceed the sum of thirty thousand dollars (\$30,000) per annum. The board shall have authority and it shall be its duty to make an allowance for such compensation and to raise and lower the same from time to time, subject to the maximum of thirty thousand dollars (\$30,000), as conditions and circumstances may warrant."

Section 3. Section 1 of this act shall become effective upon the expiration of the term of the incumbent judge or probate of Morgan County. Section 2 of this act shall become effective October 1, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the The Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 3, 1963.

WILMA V. NEWMAN,
Title Notary Public.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 836. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947 (Local Acts 1947, p. 51), an act providing for the appointment of a deputy register for the circuit court of Morgan County.

Local Legislation No. 1.

Notice and Proof H. 836:

STATE OF ALABAMA
COUNTY OF MORGAN

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947 (Local Acts 1947, p. 51), an act providing for the appointment of a deputy register for the circuit court of Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 68, H. 263, Regular Session 1947 (Local Acts 1947, p. 51), an act providing for the appointment of a deputy register for the circuit court of Morgan County, as amended, is amended further to read as follows:

"Section 1. The register of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County shall appoint a deputy register and a clerical assistant for such courts. The deputy register shall possess all the powers and authority, both ministerial and judicial, not now or hereafter possessed by the register by whom the deputy register is appointed. The compensation of the deputy register and the clerical assistant shall be fixed by the register and shall be paid in equal monthly installments out of the general fund of the county, but the combined compensation of the deputy register and the clerical assistant provided herein shall not exceed eight thousand eight hundred dollars (\$8,800) per annum."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the The Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 3, 1963.

WILMA V. NEWMAN,
Title Notary Public.

By Messrs. Young, Grouby, Powell, Avery, Harper and Salter:

H. 837. Relating to prisons and prisoners; prescribing the formulation of a code of conduct for prisoners by the board of corrections and regulating the use thereof in relation to offenses by prisoners against the good order and discipline of prison administration.

State Administration.

By Messrs. Young, Powell, Camp, Avery, Harper and Salter:

H. 838. Prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement.

Ways and Means.

By Mr. Cates (With Notice and Proof):

H. 839. To apply only in Shelby County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Local Legislation No. 1.

Notice and Proof H. 839:

STATE OF ALABAMA
COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO ~~BE~~ ENTITLED
AN ACT

To apply only in Shelby County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person duly licensed as provided in this Act may take, capture, and kill catfish from the public streams and impounded waters of Shelby County for his domestic use or consumption by the use of baskets or nets, including wire mesh baskets having a mesh of one and one-half inch or more; provided that no person shall be licensed to fish with more than four such baskets or nets.

Section 2. Any person desiring a license to fish for catfish with baskets or nets, including wire mesh baskets, may apply to the probate judge of Shelby County, and shall pay a county privilege license tax of one dollar for each basket he proposes to fish, not exceeding four altogether. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of each year.

Section 3. All revenues derived from the sale of licenses as provided in this Act shall be used by the county under the direction of the State Department of Conservation solely for stocking the streams and impounded waters in the county with game fish, or for the feeding and cultivation of game fish; provided, the probate judge may retain five per cent of all revenues collected for issuing such licenses and collecting such taxes.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket or net, including wire mesh baskets. Any person who violate this section shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared O. G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 28, 1963.

CONRAD M. FOWLER,
Title Judge of Probate.

By Mr. Cates (With Notice and Proof):

H. 840. To amend further Act No. 479, H. 1079, Regular Session 1959 (1959 Acts, p. 1198), an Act establishing the Law and Equity Court for Shelby County.

Local Legislation No. 1.

Notice and Proof H. 840:

**STATE OF ALABAMA
COUNTY OF SHELBY**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To amend further Act No. 479, H. 1079, Regular Session 1959 (1959 Acts, p. 1198), an Act establishing the Law and Equity Court for Shelby County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 15, 31, and 33 of Act No. 479, H. 1079, Regular Session 1959 (Acts 1959, p. 1198), an act establishing the Law and Equity Court for Shelby County, Alabama, as amended, are further amended to read as follows:

"Section 15. The Sheriff of Shelby County shall, in person or by a deputy, appointed by him, said appointment to be approved by the judge of said court, be required to attend upon said court in preserving order, and execute all writs of process and perform such other duties, in all respects as in the Circuit Court of this State, and such deputy required for attendance upon said session of said court, shall receive the sum as already authorized by law, payable out of the county treasury upon the warrant of the judge of said court, provided that such deputy shall not receive pay except for the time that the Court is actually in session and none of such compensation to the deputy shall be shared in by the Sheriff, and for the service by the sheriff of the process of said court and attendance upon said court, he shall receive such fees and compensation as he receives under the law of the State of Alabama or any laws enacted in the future by the Legislature of Alabama for the compensation of the sheriff for similar services in the Circuit Court, except as herein otherwise provided.

"Section 31. Except as hereinafter provided, there shall be taxed against the defendant on conviction the same solicitor's fee and the same shall be collected in the way provided by law for taxing and collecting solicitor's fees in the circuit court, and when collected shall be paid into the treasury of Shelby County, Alabama. However, in traffic law cases involving violations of the penal sections of Title 36, Code of Alabama 1940 as amended or supplemented, and in cases involving violations of the penal sections of Title 8, Code of 1940, as amended or supplemented, if the defendant pleads guilty and does not appeal, no solicitor's fee shall be charged or collected, and in every other case which is not pressed on payment of costs by the defendant, no solicitor's fee shall be charged and collected.

"Section 33. Except as hereinafter provided, a trial tax of three Dollars (\$3.00) shall be imposed in each case, civil, criminal and Equity, which is docketed in said Shelby County Law and Equity Court, to be taxed and collected as other costs, and when collected, to be paid by the clerk or register of said Shelby County Law and Equity Court into the general funds of the county as other costs. In civil cases at law where the amount involved is fifty dollars or less, a trial tax of only \$1.00 shall be imposed and collected. In all criminal cases where the defendant is charged with violating any of the provisions of Title 8 or Title 36 of the 1940 Code

of Alabama and pleads guilty, no trial tax shall be imposed or collected; and in every other criminal case where the defendant pleads guilty and no appeal is taken or where the case is not pressed upon the payment by the defendant of the costs no trial tax shall be taxed and collected."

Section 2. This Act shall become effective immediately upon its passage and approval by the governor or upon its otherwise becoming law, but the amendment made by this Act shall not affect or apply to any case pending in court on the effective date hereof.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared O. G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 28, 1963.

CONRAD M. FOWLER,
Title Judge of Probate.

By Mr. Cates (With Notice and Proof):

H. 841. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves stocked by artificially propagated upland birds in Shelby County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties.

Local Legislation No. 1.

Notice and Proof H. 841:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves stocked by arti-

ficially propagated upland birds in Shelby County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any person, firm, or corporation desiring to operate a hunting or shooting preserve in Shelby County on which artificially propagated birds may be hunted, taken, captured, killed, or otherwise recovered, may do so upon obtaining a hunting preserve license and complying with the provisions of this Act and all rules and regulations prescribed by the director of conservation governing the operation of hunting preserves.

Section 2. Each hunting preserve shall contain a minimum of 100 acres in one tract of leased or owned land, including water area, if any, and shall be restricted to not more than 1,000 contiguous acres including water if any. The exterior boundaries of each hunting preserve shall be bordered by a single strand of wire or such fence as is acceptable to the state director of conservation, except where rivers, creeks, roads, or other clearly defined demarcations or delineations, acceptable to the director of conservation, form the boundary or a part thereof. Signs shall be erected at intervals of not less than 150 feet around the perimeter of the tract. At the top of each sign shall appear in letters not less than 2 inches high the words, "LICENSED HUNTING PRESERVE," and such other words as the director of conservation may prescribe. No hunting preserve shall be located within one mile of any other such preserve or within one mile of any management area or refuge existing under state or federal law or regulations at the time of the establishment of such hunting preserve. No license shall be issued for any hunting preserve on which the shooting of turkeys is authorized.

Section 3. Game which may be hunted on a preserve licensed under this Act shall be artificially propagated bobwhite quail, coturnix quail, pheasants, chuckar partridge, and such other species of fowl as the director of conservation shall designate. A minimum stock of at least 1,000 bobwhite quail, if bobwhite quail are to be hunted on the preserve, and a minimum stock of 200 of each of the other species of birds, listed above, to be hunted on a licensed preserve shall be released on the licensed hunting area during each hunting season.

Section 4. The privilege license or permit fee for operating a hunting preserve shall be \$25 per year for the first 100 acres of hunting preserve area plus \$5 per year for each additional 100 acres or part thereof. Any person who desires to operate such a hunting preserve shall first file a request with a local state game warden, or with the state department of conservation, to have the tract which he proposes to use as a hunting preserve inspected, and if it meets the requirements of this Act and the rules and regulations of the department of conservation to have a permit issued to him to procure a license to operate such hunting preserve. Upon presentation to the judge of probate of the county in which the preserve is located of a permit from the department of conservation, dated not more than thirty days prior to its presentation, accompanied by the proper license fee prescribed in this section, and an issuance fee of fifty cents, the judge of probate of the county shall issue a privilege license to operate a hunting preserve to the applicant. Privilege licenses to operate hunting preserves shall be issued on forms prescribed by the director of conservation and furnished by him to the judges of probate. All fees collected by the judges of probate for issuing hunting preserve licenses shall be remitted at the same time and in the same manner that hunting and fishing license fees are remitted and shall be paid into the game and fish fund of the state department of conservation.

Section 5. The holder of a license issued pursuant to this Act, his guests, and patrons may hunt, take, capture, kill, or otherwise recover during the year no more than 80 per cent of the total number of each species of birds released on the preserve during such year. The season during which each species of birds may be hunted, taken, captured, killed, or otherwise recovered on such preserve shall be prescribed by the state director of conservation; but in no event shall the season be longer than six months, nor shall it begin before October 1, nor extend later than March 31 of any year.

Section 6. The operators of hunting preserves shall cooperate in requests which the director of conservation might make for scientific investigations, and the department of conservation shall specify tags, if any, which hunting preserve operators shall use, the tag to be numbered consecutively, dated by year of issuance, and carry the operator's license number.

Section 7. Each hunting preserve operator shall maintain a register and record therein the names, addresses, hunting license numbers, the date on which each hunted, and the amount and species of game taken by each hunter. The operator shall also give to each hunter a certificate showing the location and license number of the preserve; the name, address and license number of the hunter; the date on which he hunted; and the amount and species of game taken by him. An accurate record by species shall also be maintained of the total number of birds raised on the preserve or purchased, and the number of each species released thereon each year. These records shall be open to inspection by any duly authorized representative of the state department of conservation at any reasonable time.

Section 8. Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.

Section 9. Duly authorized agents of the state department of conservation, game wardens, and other law enforcement officers duly authorized to enforce game and fish laws shall have authority to enforce all game and fish laws and regulations on such preserves; and for such purposes are authorized to enter and inspect licensed hunting preserves. Violations of game and fish laws and regulations on such hunting preserves, either by the owner, guests, or patrons of such preserves, shall be grounds for revocation of the hunting preserve license; and the director of conservation may immediately revoke a hunting preserve license upon proof that any such violations have occurred thereon.

Section 10. Any person, firm, or corporation who operates a licensed hunting preserve in violation of any provision of this Act or a duly promulgated rule of the director of conservation relative to the operation thereof shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than \$50 nor more than \$500 and at the discretion of the court may also be imprisoned for a period of not more than six months for each offense.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared O. G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 7, March 14, March 21, and March 28, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 8, 1963.

C. M. FOWLER,
Title Judge of Probate.

By Mr. Cates (With Notice and Proof):

H. 842. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Shelby County shall have or exercise police jurisdiction within Shelby County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Shelby County or over or on any person in Shelby County or property or business or trade or profession in Shelby County; nor shall any such municipality levy, fix or collect any license or fee of any kind on or for the exercise of any business, trade or profession done in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Shelby County.

Local Legislation No. 1.

Notice and Proof H. 842:

STATE OF ALABAMA
COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Shelby County shall have or exercise police jurisdiction within Shelby County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Shelby County or over or on any person in Shelby County or property or business or trade or profession in Shelby County; nor shall any such municipality levy, fix or collect any license or fee of any kind on or for the exercise of any business trade or profession done in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Shelby County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. No municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Shelby County shall have or exercise police jurisdiction within Shelby County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Shelby County or over or on any person in Shelby County or property or business or trade or profession in Shelby County; nor shall any such municipality levy, fix, or collect any license or fee of any kind on or for the exercise of any business, trade or profession done in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Shelby County.

Section 2. All laws, local, general and special, in conflict herewith applicable to Shelby County are expressly repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become operative thirty days after its passage and approval or its otherwise becoming a law.

PROOF OF PUBLICATION**STATE OF ALABAMA
COUNTY OF SHELBY**

Before me, the undersigned authority in and for said County in said State, this day personally appeared O. G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 28, 1963.

CONRAD M. FOWLER,
Title Judge of Probate.

By Mr. Cates (With Notice and Proof):

H. 843. To alter and rearrange the boundaries of the Town of Alabaster, and extend the corporate limits of the municipality, making the act effective upon approval of the qualified electors of the territory to be annexed, and providing for a referendum on the proposition.

Local Legislation No. 1.

Notice and Proof H. 843:

**STATE OF ALABAMA
COUNTY OF SHELBY**

Notice is hereby given that a bill substantially as follows will be in-

troduced in the Legislature of Alabama and application for its passage and enactment will be made, to wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the Town of Alabaster, and extend the corporate limits of the municipality, making the act effective upon approval of the qualified electors of the territory to be annexed, and providing for a referendum on the proposition.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the Town of Alabaster in Shelby County are hereby altered and rearranged so as to include within the corporate limits of the municipality the following described lands in Shelby County in addition to the territory heretofore included therein:

Beginning at the Southwest Corner of Section 25, Township 20 South, Range 3 West; Thence run Easterly along the South boundary line of Section 25, Township 20 South, Range 3 West for 2645 feet, more or less to the Southeast Corner of the West $\frac{1}{2}$ of said Section 25, Township 20 South, Range 3 West; thence run Northerly along the East boundary line of the said West $\frac{1}{2}$ of Section 25, Township 20 South, Range 3 West for 5280 feet more or less to the Northeast corner of the West $\frac{1}{2}$ of Section 25, Township 20 South, Range 3 West; thence run Northerly along the East boundary line of the South $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West for 1320 feet, more or less, to the N \square Corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West; Thence run Westerly along the North boundary line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West for 2500 feet, more or less, to the point of intersection of the North boundary line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 3 West, and the West R. O. W. line of the Louisville and Nashville R. R.; Thence run Southerly along the West R. O. W. line of said L & N R.R. for 6590 feet more or less, to a point 10 feet North of the intersection of the West R. O. W. line of said L & N RR. and the South boundary line of Section 26, Township 20 South, Range 3 West; Thence run Westerly parallel to the said South boundary line of Section 26, Township 20 South, Range 3 West for 2430 feet more or less to a point that is 10.0 feet North of the S. W. Corner of the E $\frac{1}{2}$ of Section 26, Township 20 South, Range 3 West; Thence run South 10 feet to the SW Corner of the E $\frac{1}{2}$ of Section 26, Township 20 South, Range 3 West; Thence run Westerly along the North boundary line of Section 35, Township 20 South, Range 3 West for 2645 feet, more or less to the NW Corner of said Section 35, Township 20 South, Range 3 West; Thence run Westerly along the North boundary line of Section 34, Township 20 South, Range 3 West for 1335.5 feet more or less to the Northwest corner of the E $\frac{1}{2}$ of the E $\frac{1}{2}$ of Section 34, Township 20 South, Range 3 West; Thence run Southerly along the West boundary line of the E $\frac{1}{2}$ of E $\frac{1}{2}$ of Section 34, Township 20 South, Range 3 West for 3981.6 feet, more or less, to the SW corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 20, South Range 3 West; Thence run Easterly along the South boundary line of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34, Township 20 South, Range 3 West, and the South boundary line of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West for 3960 feet, more or less, to the SE Corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West; Thence run Southerly along the East boundary line of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South, Range 3 West, for 1320 feet, more or less, to the SE Corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of Section 35, Township 20 South,

Range 3 West; Thence run Easterly along the South boundary line of Section 35, Township 20 South, Range 3 West for 1000 feet, more or less to the point of intersection of the South boundary line of Section 35, Township 20 South, Range 3 West and the center line of the South Bound L & N RR: Thence run Northeasterly along the center line of said South Bound L & N RR for 980 feet, more or less, to the point of intersection of the center line of the South Bound L & N RR and the East boundary line of the $W\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 35, Township 20 South, Range 3 West; Thence run Northerly along the East boundary line of the $W\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 35, Township 20 South, Range 3 West for 4380 feet, more or less, to the NE Corner of the $W\frac{1}{2}$ of the East $\frac{1}{2}$ of Section 35, Township 20 South, Range 3 West; Thence run Easterly along the North boundary line of Section 35, Township 20 South, Range 3 West for 1322.8 feet, more or less, to the point of beginning.

Section 2. The provisions of this Act shall not become effective unless the Act is approved by a majority of the qualified electors of Shelby County who reside within the territory herein-before described, voting at a referendum election which is ordered to be held not less than thirty nor more than forty-five days after the date of the enactment of this Act, the date of the election to be determined by the town governing body. Notice of the election shall be given by the clerk of the Town of Alabaster and such notice shall be published one time in a newspaper published in Shelby County at least ten days before the date of the election. The notice shall state the date on which the election is to be held and the voting place, which shall be the town hall; and the notice must give a description of the territory to be annexed to the Town of Alabaster by this Act.

The town governing body shall appoint election officials from among the qualified electors of the territory proposed to be annexed, in the number prescribed by law for holding municipal elections, who shall manage the election and tabulate the votes. The probate judge of Shelby County shall, at the request of the town clerk of Alabaster, furnish said clerk a list of the qualified electors residing in the territory proposed to be annexed to the Town of Alabaster, and all electors so listed shall be allowed to vote. The election shall be held and conducted in all respects as provided by the general laws governing municipal elections and under the same sanctions and penalties except as modified by this Act. The Town of Alabaster shall pay all cost and expense incident to the election. The governing body of the town shall cause to be prepared for the election, supplies necessary for holding the election, including ballots, which shall have printed thereon the following: "Do you favor annexation of the territory in which you reside by the Town of Alabaster in accordance with the provisions of Act No. . . enacted by the 1963 Legislature? Yes () No ()."

The election officials must as soon as the polls are closed, tabulate the votes and certify the results thereof to the clerk of the Town of Alabaster. The clerk shall canvass the returns and certify the results to the governing body of the municipality and to the probate judge of Shelby County. If a majority of the qualified electors voting in the election vote in favor of annexation, the judge of probate shall make and enter an order on the records of the probate court adjudging and decreeing the corporate limits of the Town of Alabaster to be extended so as to embrace the territory hereinabove described. If a majority of the qualified electors voting in the election vote against annexation, this Act shall have no further effect. The probate judge shall certify the results of the election to the Secretary of State within sixty days after the election.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said

State this day personally appeared O. G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 28, 1963.

CONRAD M. FOWLER,
Title Judge of Probate.

By Mr. Cates (With Notice and Proof):

H. 844. To alter, rearrange, and extend the boundaries of the town of Alabaster, Shelby County.

Local Legislation No. 1.

Notice and Proof H. 844:

STATE OF ALABAMA
COUNTY OF SHELBY

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, and extend the boundaries of the town of Alabaster, Shelby County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the town of Alabaster in Shelby County are hereby altered, rearranged and extended so as to include within the corporate limits of said town the two parcels of land hereinafter described as "Parcel A" and "Parcel B" presently lying within the boundaries of the town of Siluria as follows:

Parcel A: Beginning at the Northeast corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West; thence run Southerly along the East boundary line of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West for 200.0 feet more or less, to the point of intersection of the East boundary line of the said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West with the center line of John Allen Branch; Thence run down along the center line of John Allen Branch with the meanderings thereof in a Northwesterly direction for 360.0 feet, more or less to the point of intersection of the center line of John Allen Branch and the North boundary line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West; Thence run Easterly Along the North boundary line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 2, Township 21 South, Range 3 West for 280.0 feet, more or less to the point of beginning.

Parcel B: Beginning at the Northwest corner of the SE¼ of the NW¼ of Section 2 Township 21, South, Range 3 West; Thence run South-erly along the West boundary line of the SE¼ of NW¼ of Section 2, Township 21 South, Range 3 West for 1320.8 feet, more or less, to the SW Corner of the SE¼ of the NW¼ of Section 2, Township 21 South, Range 3 West; Thence run Easterly along the South boundary line of the SE¼ of the NW¼ of Section 2, Township 21 South, Range 3 West for 180 feet, more or less, to the point of intersection of the South boundary line of the SE¼ of the NW¼ of Section 2, Township 21 South, Range 3 West and the center line of Buck Creek; Thence run down along the center line of Buck Creek with the meanderings thereof in a northerly direction 1580 feet, more or less to the point of intersection of the center line of Buck Creek and the North boundary line of the SE¼ of the NW¼ of Section 2, Township 21 South, Range 3 West; Thence run Westerly along the North boundary line of the SE¼ of the NW¼ of Section 2, Township 21 South, Range 3 West for 530 feet, more or less, to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared O.G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

O. G. DEXTER.

Sworn to and subscribed before me June 28, 1963.

CONRAD M. FOWLER,
Title Judge of Probate.

By Mr. Cates:

H. 845. To amend further Code of Alabama 1940, Title 51, Section 7, which relates to applications for exemptions of factories, industries and plants from state ad valorem taxes.

Ways and Means.

By Mr. Pruitt (With Notice and Proof):

H. 846. Relating to Sumter County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment of persons convicted of night hunting in the county and providing for the disposition of the proceeds of the sale thereof.

Local Legislation No. 1.

Notice and Proof H. 846:

STATE OF ALABAMA
COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment of persons convicted of night hunting in the county and providing for the disposition of the proceeds of the sale thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any motor vehicle, or any gun, rifle or other hunting equipment customarily used in hunting game or other wild life of any kind, or any possession thereof upon the person or in any motor vehicle of any person who may be apprehended while engaging in hunting at night in Sumter County shall be contraband and shall be forfeited to the state of Alabama. Such property may be seized by the sheriff of the county or by any other officer or person acting under authority of law in the enforcement of laws of this state, and the sheriff or such other officer or person shall report the seizure and the facts connected therewith to the solicitor or any other prosecuting official of the county, giving a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found the name of the person making claim to the same or any interest therein if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances connected with the apprehension of the person or persons whose property has been seized.

Section 2. In order to condemn and confiscate any of the property set out in section one of this act it shall not be necessary for the solicitor or other prosecuting authority to prove possession of game or other wild life killed in night hunting or that the hunter be apprehended in the actual act of killing game but it shall suffice to prove possession upon the person or in any motor vehicle of such person of guns, ammunition, and other equipment normally used in hunting game and the time, the place, and circumstances of the apprehension sufficient to support a conviction of the offense of night hunting.

Section 3. Except as otherwise herein provided, the manner, the method and procedure for the forfeiture, condemnation, and sale of any motor vehicles or hunting equipment seized under authority of this act shall be the same as that provided by law for the confiscation, condemnation, and sale of automobiles, conveyances, or vehicles in which alcoholic beverages are illegally transported. Without limiting the generality of the foregoing sentence, the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249 shall apply.

Section 4. The proceeds of the sale of any property condemned and forfeited to the state under authority of this act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state conservation fund.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louise W. Hanley, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was Bookkeeper of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

LOUISE W. HANLEY.

Sworn to and subscribed before me July 5, 1963.

DORIS HARWELL MITCHELL,
Title Notary Public.

By Mr. Pruitt (With Notice and Proof):

H. 847. To alter and rearrange the boundaries of the town of Livingston, Sumter County.

Local Legislation No. 1.

Notice and Proof H. 847:

STATE OF ALABAMA COUNTY OF SUMTER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter and rearrange the boundaries of the town of Livingston, Sumter County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The town boundaries and corporate limits of the town of Livingston, Sumter County, are hereby altered, rearranged, described, and fixed, as follows:

Begin at the Northeast corner of Section 22, Township 19 North, Range 2 West. From said point of beginning run thence South along the East Section line of Sections 22, 27 and 34 to a point which is the Southeast corner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 19 North,

Range 2 West; thence run West along the quarter section line to the Southwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 19 North, Range 2 West to a point; thence run North along the quarter section line to the Northwest corner of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 19 North, Range 2 West; thence run West along the one-half section line of Section 34, and Section 33, Township 19 North, Range 2 West to a point on the low water line on the East bank of the Sucarnoochee River; thence follow the meandering course of the Sucarnoochee River in a North-Northwesterly direction along the low water line of said River through Sections 33 and 28, Township 19 North, Range 2, West to a point where the West Section line of said Section 28, Township 19 North, Range 2 West intersects the low water line on the North or Northeast bank of the Sucarnoochee River; from said point run thence North along the West section line of Section 28, Township 19 North, Range 2 West to the Northwest corner of Section 28, Township 19 North Range 2 West; thence run East along the North Section line of Sections 28 and 27 to the Southwest corner of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 22, Township 19 North, Range 2 West; thence run North along the quarter section line to the Southwest corner of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22, Township 19 North, Range 2 West; thence run West to the Southwest corner of the NW $\frac{1}{4}$ of Section 22, Township 19 North, Range 2 West; thence run North along the West section line to the Northwest corner of Section 22, Township 19 North, Range 2 West; thence run East along the North Section line of Section 22, Township 19 North, Range 2 West to the said Northeast corner of said Section 22, Township 19 North, Range 2 West, the point of beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SUMTER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Louise W. Hanley, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was bookkeeper of the Sumter County Journal, a newspaper of general circulation published in Sumter County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 13, June 20, June 27, and July 4, all in the year 1963.

LOUISE W. HANLEY.

Sworn to and subscribed before me July 5, 1963.

DORIS HARWELL MITCHELL,
Title Notary Public.

By Messrs. Camp and Bolton:

H. 848. To make it lawful for any person, or persons, to use stationary fish traps with wooden fingers or slats not less than one and one-half inches apart for the purpose of taking or catching commercial or non-game fish in that part of any river that lies within counties in Alabama having a population not less than 65,000 nor more than 95,000 according to the last

or any subsequent federal census; and to further regulate the operation of such traps.

Local Legislation No. 1.

By Messrs. Bolton and Camp (With Notice and Proof):

H. 849. To create and establish in Talladega County a county court of limited jurisdiction of criminal, civil cases at law and juvenile cases, composed of two divisions, a Northern Division and a Southern Division, to be known as the "County Court of Talladega County", Northern Division and Southern Division, and abolish the Intermediate Court of Talladega County created by Act 733, H. 1077, approved September 5, 1951 (Acts of 1951, page 1281), and also the Civil and Misdemeanors Court of South Talladega County created by Act 109, S. 37, approved August 24, 1959 (Acts of 1959, page 330); providing for its officers and their term, powers, duties, compensation and method of selection; prescribing its jurisdiction; regulating its procedure and process; providing for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible in the court; providing for appeals from the court; providing for the transfer to the court of all cases pending in and judgments rendered by the Intermediate Court of Talladega County and the Civil and Misdemeanors Court of South Talladega County.

Local Legislation No. 1.

Notice and Proof H. 849:

LEGAL NOTICE

A BILL
TO BE ENTITLED
AN ACT

To Create and establish in Talladega County a county court of limited jurisdiction of criminal, civil cases at law and juvenile cases, composed of two divisions, a Northern Division and a Southern Division, to be known as the "County Court of Talladega County", Northern Division and Southern Division, and abolish the Intermediate Court of Talladega County created by Act 733, H. 1077, approved September 5, 1951 (Acts of 1951, page 1281), and also the Civil and Misdemeanors Court of South Talladega County created by Act 109, S. 37, approved August 24, 1959 (Acts of 1959, page 330); providing for its officers and their terms, powers, duties, compensation and method of selection; prescribing its jurisdiction; regulating its procedure and process; providing for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible in the court; providing for appeals from the court; providing for the transfer to the court of all cases pending in and judgments rendered by the Intermediate Court of Talladega County and the Civil and Misdemeanors Court of South Talladega County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. COUNTY COURT CREATED. — There is hereby created and established in Talladega County a county court of limited jurisdiction in criminal cases, civil cases at law and juvenile cases, which shall be known as the "County Court of Talladega County", Northern Division and Southern Division, with the jurisdiction of the Northern Division being in Beats 1, 2, 3, 4, 5, 7, 14, 16, 17 and 18, and with the jurisdic-

tion of the Southern Division being in Beats 9, 10, 11, 12 and 13. Both divisions shall have concurrent jurisdiction in Beats 6 and 8. If an action is improperly brought in either division, the case shall be transferred to the proper division in the same way that cases are transferred under Act No. 76, S. 61, Special Session 1961 (Acts 1961, v. 2, p. 1953) when a plea in abatement as to venue is sustained. The court hereby created shall be in lieu of the Intermediate Court of Talladega County, created under Act 733, H. 1077, approved September 5, 1951 (Acts of 1951, page 1281), and the Civil and Misdemeanors Court of South Talladega County, created by Act No. 109, S. 37, approved August 24, 1959 (Acts of 1959, page 330), both courts which are hereby abolished.

Section 2. JURISDICTION. — (a) Except as provided in subsection (b) following, the court shall have the power to exercise jurisdiction in all actions, causes, matters, proceedings and cases (including bastardy proceedings, actions for unlawful detainer and for the recovery of possession of land, except actions in ejectment or actions in the nature of ejectment), cognizable before a county court or juvenile court or justices of the peace, or courts created in lieu thereof, and all courts of like jurisdiction. It shall have the authority to punish contempt by fines not exceeding fifty dollars (\$50.00), and imprisonment not exceeding five (5) days. It may adopt and enforce rules and regulations relative to pleading, procedure and practice, provided such rules and regulations are not contrary to the Constitution and statutes of the State and lawmade rules governing the practices and procedures of courts of record.

(b) The court shall not have power to try persons charged with felonies. It shall not have jurisdiction of any civil action when matter or sum in controversy exceed seven hundred fifty dollars (\$750.00), exclusive of interest and court cost, nor take cognizance of any matter of proceeding in equity.

Section 3. JUDGES. — (a) The judge who was elected and is serving when this Act becomes effective, being Otis R. Burton, Jr., as Judge of the Intermediate Court of Talladega County, which is hereby abolished, shall be the first Judge of the Northern Division of the court hereby established, and Wesley R. Smith, who was elected and is serving when this Act becomes effective as Judge of the Civil and Misdemeanors Court of South Talladega County, which is hereby abolished, shall be the Judge of the Southern Division of the court hereby established, and both of said Judges shall hold office for the remainder of the term to which they were elected as judges of the abolished courts and until their successors are elected, as hereinafter provided.

(b) At the general election of 1964, and every six (6) years thereafter, a judge for the Northern Division of said court shall be elected by the qualified electors of Beats 1, 2, 3, 4, 5, 7, 14, 16, 17 and 18, and Beats 6 and 8 of Talladega County, Alabama, and a judge for the Southern Division of said court shall be elected by the qualified electors of Beats 9, 10, 11, 12 and 13, and Beats 6 and 8 of Talladega County, Alabama. Their terms shall be for six (6) years from the first Monday after the second Tuesday in January next succeeding their election and until their successors are elected and qualified.

(c) The judges shall, before entering upon the discharge of the duties of office, take the oath prescribed by Section 279 of the Constitution. They may be removed from office for any cause enumerated in Section 173 of the Constitution, in the manner provided by law. No person shall be eligible for the office of judge unless he is, at the time of his appointment or election, at least twenty-eight (28) years of age a resident of the territorial jurisdiction of the division of the court, learned in the law, a qualified elector of Talladega County, and licensed to practice law in this State. Neither the judges nor their partners shall practice law in any criminal case or juvenile

case in any court in Talladega County, nor shall they appear as counsel in any case in Talladega County in which the amount involved is seven hundred fifty dollars (\$750.00), or less, exclusive of interest, and the judges shall be subjected to the same penalties and obligations as circuit judges. Any vacancy occurring in the office of the judge shall be filled by appointment, as provided in Section 158 of the Constitution.

(d) The judges shall receive an annual salary of six thousand dollars (\$6,000.00) each, payable out of the general fund of the county, in equal monthly installments, as the salaries of other county officers are paid.

(e) The judges shall have the authority to: (1) administer oaths and take acknowledgements; (2) solemnize marriages; (3) issue search warrants; and (4) exercise such other powers, jurisdiction or authority as may be conferred by law upon judges of juvenile and county courts and justices of the peace, including that of magistrates on preliminary examination.

(f) The judge of the Northern Division of said court shall maintain an office at such place as may be provided by the governing body of Talladega County, Alabama, except that he shall not have an office in the Talladega County Courthouse. The judge of the Southern Division of said court shall maintain an office in the County Building at Sylacauga or such other place as may be provided by the governing body of the county. Both offices shall be suitably equipped, furnished and provided, at the expense of the county, with such office supplies and equipment as stationery, stamps, furniture, fixtures, telephone service and other equipment and materials as may be necessary for the transaction of the business of the court.

Section 4. SESSIONS. — (a) Both divisions of the County Court of Talladega County shall be open for the transaction of any and all business or judicial proceedings of every kind within its jurisdiction at all times.

(b) Sessions of the court for the Northern Division shall be held at the County Courthouse, and sessions for the Southern Division shall be held at the County Building at Sylacauga, Alabama, or at such other places within the court's jurisdiction as may be designated by the judge of said division. The judge of each division shall hold at least two (2) criminal sessions and two (2) civil sessions of court each month, the regular criminal sessions for the Northern Division to be held on the first and third Mondays in each month, and the criminal sessions for the Southern Division to be held on Fridays after the first and third Mondays in each month.

(c) All writs and processes of the court shall be executed by the sheriff or his deputies. The sheriff shall attend the sessions of the court in person or by deputy.

Section 5. PRACTICE AND PROCEDURE. — (a) Except as otherwise provided in this Act, the practice, procedure and process of the court as to parties, trial, competency of witnesses, admissibility of evidence, the taking of depositions, the filing of interrogatories to opposing parties, regulation of suits and the time within which suits may be brought shall be governed by the statutes and rules of practice, procedure and process governing the circuit courts.

(b) The civil actions at law when the summons, writ of attachment, summons and complaint in attachment, or other process has been executed on the defendant, or service perfected on him as required by law, the defendant shall appear and plead, answer or demur thereto with ten (10) days, and the process issued shall so recite.

Section 6. COSTS. — (a) For their attendance upon the court, witnesses shall be entitled to the fees and allowances prescribed by law for witnesses in the circuit courts, which fees and allowances shall be taxed, col-

lected and paid in the same manner and according to the same regulations as apply in the circuit courts.

(b) All other costs of court shall be as follows: (1) in each civil action at law, if the sum in controversy does not exceed one hundred dollars (\$100.00), the same as in justice courts; (2) in every other civil action at law, the same as in circuit courts; (3) in each criminal case involving an offense of which justice courts have final jurisdiction, the same as in justice courts; and (4) in every other criminal case, the same as in county courts, including fees as provided by Sections 86 and 89 (2) of Title 11, 1958 Code of Alabama, except that fees for cases provided for herein under Section 7 (b), the fees shall be as there stated.

Section 7. CRIMINAL PROSECUTIONS. — (a) Prosecutions may be commenced in such court, upon sworn complaint made to the judge of the court in whose jurisdiction said offense is alleged to have been committed, which judge shall issue a warrant of arrest if he is reasonably satisfied that the offense has been committed in his jurisdiction and there is reasonable cause to believe that the accused is guilty, or upon sworn complaint made as prescribed by Code of Alabama of 1958, Title 13, Section 327, the case shall be docketed for trial, and the trial shall be held and conducted as trials after indictments. The clerk shall keep a record of all complaints made and all warrants issued. If the original complaint or warrant is lost, mislaid or destroyed, a certified copy of the record shall be sufficient for the arraignment and trial of the accused.

(b) All warrants issued in Talladega County for misdemeanors for violation of the rules of the road and other misdemeanors defined or provided for in Code of Alabama of 1958, Title 36, shall be returnable to the County Court of Talladega County, Northern Division or Southern Division, according to jurisdiction, and shall be there tried.

Section 8. SOLICITOR. — (a) It shall be the duty of the Circuit Solicitor of the Twenty-Ninth Judicial Circuit of Alabama, in addition to all other duties imposed on him by law, to prosecute all criminal cases, wherein solicitor's fees are charged, in the County Court of Talladega County, Alabama, both in the Northern and Southern Divisions. The Southern Division of said court shall be held at the County Building in Sylacauga, Alabama, and at the City Hall Building in Childersburg, Alabama, at the discretion of the trial judge. The salary of the Solicitor paid by Talladega County shall remain unchanged by this Act, as set up by Act 109, Senate Bill 37, Regular Session of the 1959 Legislature; said salary being and continuing to be an annual salary of nine hundred dollars (\$900.00), payable in equal monthly installments out of the general fund of Talladega County, Alabama, as the salaries of other employees are paid.

In addition to the above salary, the Circuit Solicitor of the Twenty-Ninth Judicial Circuit of Alabama ~~shall be paid an expense allowance of~~ nine hundred dollars (\$900.00) per annum, payable in twelve (12) equal monthly installments. This expense allowance shall be paid to compensate the Circuit Solicitor for the use of his automobile on official business in investigating cases throughout Talladega County and in his travel to and from the courts located in the Southern Division, from the Courthouse in Talladega to the courts in Sylacauga, Alabama, and Childersburg, Alabama, and for other expenses such as meals and incidentals incurred while away from the courthouse on business of the Solicitor's office. The Circuit Solicitor shall not be required to account for moneys received and expended, and this expense allowance shall be handled in the same manner as other expense accounts by the Commissioner's Court or other proper governing body.

(b) All Solicitor's fees taxed and collected in all criminal cases in the County Court of Talladega County, both Northern and Southern Divisions

shall be paid into the General Fund of Talladega County Treasury by the clerk taxing and collecting same.

Section 9. APPEALS AND CERTIORARI. — Any party aggrieved by a judgment, order or ruling of the court may appeal the decision as herein provided. (1) If the case is a civil case, the appeal or certiorari lies to the Circuit Court of Talladega County, and shall be governed by Article 6 of Chapter 8, Title 13 of the 1958 Code, where the trial shall be de novo with trial by jury where demanded by either party, as provided by Code of 1958, Title 7, Section 264. Where a civil case is tried on appeal in the Circuit Court and the sum in controversy does not exceed one hundred dollars (\$100.00), the issue shall be made up as provided by Code of 1958, Title 13, Section 486; otherwise, the pleadings and trial shall be according to the regular rules of pleading and practice in the Circuit Court. (2) If a case arises under the court's jurisdiction with respect to juveniles, the appeal lies to the Circuit Court and shall be governed by Section 371 and Section 372 of Title 13 of the 1958 Code of Alabama. (3) In every criminal case, the appeal lies to the Circuit Court and shall be governed by Section 349 of Title 13 of the 1958 Code, but with appeal bond to be approved by the clerk and with trial by jury on demand by the defendant, as prescribed by Code of 1958, Title 15, Section 321.

Section 10. JUDGMENTS. — The party in whose favor a judgment is rendered shall have all the rights, remedies and privileges with respect to the registration and enforcement thereof as are provided in Chapter 11, Title 7, of the 1958 Code.

Section 11. CLERKS. — (a) The Circuit Clerk of Talladega County shall be the Clerk of the Northern Division of the court herein established. The Judge of the Southern Division of the court herein established, with the approval of the Court of County Commissioners, Board of Revenue or other governing body, shall appoint the Clerk of the Southern Division of said court, who shall, at the time of his appointment and during his continuance in office, be a duly qualified elector of Talladega County and reside within the territorial jurisdiction of the Southern Division of said court. The Clerk of the Southern Division of said court shall receive as compensation for the services required of him a monthly salary to be paid from the General Fund of the county, in such amount as is fixed by the Judge of the Southern Division of said court, with the approval of the Court of County Commissioners, Board of Revenue, or like governing body of the county.

(b) The governing body of the county shall furnish, at county expense, such records, stationery, office supplies and equipment as may be necessary to conduct the court's business. The Clerk shall keep a seal, which shall be the official seal adopted by the court. Before entering upon the performance of their duties, the Clerks of the County Court of Talladega County must give bond as required by law for Clerks of county courts.

(c) It shall be the duty of the clerks to keep all the records, files and dockets of the court in an orderly manner and to perform all other duties required by the Judge.

(d) The Clerk shall have the power and authority: (1) to administer oaths and take acknowledgments and affidavits; (2) to sign and issue all processes issuing out of the court, including warrants, affidavits, summonses, subpoenas, writs, executions, commitments and releases; (3) to approve bonds in civil and criminal cases, including appeal bonds; (4) to enter all judgments, orders and decrees of the court; (5) to certify all appeals and transcripts; and (6) to exercise all powers and authority which are now or may be hereafter conferred on Clerks of county courts.

Section 12. TRANSFER OF PENDING CASES. — All cases pending in the Intermediate Court of Talladega County on the effective date

of this Act shall be transferred to the Northern Division of the court herein created and shall proceed as though begun therein. All cases and actions pending in the Civil and Misdemeanors Court of South Talladega County on the effective date of this Act shall be transferred to the Southern Division of the court herein created and shall proceed as though begun therein. As to judgments rendered by the said courts, this court shall have the same power to control, and may issue executions and other processes thereon in all respects as though the judgments have been rendered by it.

Section 13. SEVERABILITY. — The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 14. REPEALER. — All laws or parts of laws which conflict with this Act are repealed.

Section 15. EFFECTIVE DATE. — This Act shall become effective upon the first day of the calendar month immediately following its passage and approval by the Governor or its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLADEGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Cecil Hornady, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Talladega Daily Home, a newspaper of general circulation published in Talladega County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1963.

CECIL HORNADY.

Sworn to and subscribed before me July 15, 1963.

W. H. CAMP, JR.,
Title Notary Public.

By Mr. Bassett (With Notice and Proof):

H. 850. Relating to Pike County. To repeal Act No. 147 approved July 19, 1955, authorizing the Court of County Commissioners of Pike County to provide a clerk for the Deputy Solicitor for Pike County.

Local Legislation No. 1.

Notice and Proof H. 850:

NOTICE

Notice is hereby given that application will be made to the next regular Session of the Legislature of Alabama for the passage and enactment of a bill substantially as follows, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Pike County. To repeal Act No. 147 approved July 19, 1955, authorizing the Court of County Commissioners of Pike County to provide a clerk for the Deputy Solicitor for Pike County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA

Section 1. That Act No. 147 approved July 19, 1955, authorizing the Court of County Commissioners of Pike County to provide a clerk for the Deputy Solicitor for Pike County, is hereby expressly repealed.

Section 2. That this act shall become effective immediately upon its passage and approval by the Governor or its otherwise becoming a law.

**STATE OF ALABAMA,
PIKE COUNTY**

Before me, Louise M. Emerson, a Notary Public in and for said State and County, personally appeared M. F. Boisclair, who being sworn deposes and says on oath, that he is the Bus. Mgr. of THE TROY MESSENGER, a newspaper published daily, in the City of Troy, Pike County, Alabama, and that the foregoing attached notice A Bill To Be Entitled An Act (Clerk for Deputy Solicitor) was published in said newspaper 4 times, the same appearing in the issues dated: May 13, 20, 27 and June 3.

**M. F. BOISCLAIR,
Bus. Mgr.**

Sworn to and subscribed before me this the 1 day of July 1963.

**LOUISE M. EMERSON,
Notary Public.
Pike County, Ala.**

By Mr. Callahan:

H. 851. To amend Section 173 of Title 48 of the Code of Alabama of 1940.

Judiciary.

By Messrs. Callahan, Campbell (Tuscaloosa) and Brown (Tuscaloosa):

H. 852. For the relief of the City of Tuscaloosa and to make an appropriation to the City of Tuscaloosa.

Ways and Means.

By Messrs. Campbell (Tuscaloosa), Brown (Tuscaloosa), Meade, Owens, Nabors, Callahan and Davis:

H. 853. To provide for periodic reidentification of all registered voters, and for the removal of the names of those now required by law to be stricken from the lists of registered voters; to provide for the supplies needed by board of registrars for carrying out a reidentification; to provide for the keeping of current voter files; to prescribe a reidentification fee and to provide for the disposition of the proceeds; to impose on the Secretary of State the duty of comparing lists of electors who have reidentified themselves in the various counties; and to provide penalties for violations of the Act.

Constitution and Elections.

By Messrs. Bevill and Scurlock:

H. 854. To authorize the court of county commissioners, board of revenue, or like governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Local Legislation No. 1.

By Messrs. Wood and McCorquodale:

H. 855. To authorize the governing body of any county to appropriate county funds to municipal industrial development boards within or without the county.

Local Government.

By Mr. Wood:

H. 856. Relating to counties having populations of not less than 15,300 nor more than 15,400; providing further for the conservation of game and fish; authorizing the director of conservation to appoint unsalaried deputy game and fish wardens for such counties.

Local Legislation No. 1.

By Mr. Wood:

H. 857. To authorize the governing body of any county having a population of not less than 15,300 nor more than 15,400 to appropriate county funds to municipal industrial development boards within or without the county.

Local Legislation No. 1.

By Mr. Nettles:

H. 858. Relating to counties having populations of not less than 18,000 nor more than 19,000, regulating further the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures, and other property of such buildings.

Local Legislation No. 1.

By Messrs. Nettles, Young and Reynolds:

H. 959. To amend Section 172 of Title 2 of the Code of Alabama of 1940 relating to the annual permit required for the operation of a cotton gin.

Agriculture.

By Mr. Nettles:

H. 860. Relating to crimes and offenses involving certain types of transportation by common carriers; prohibiting certain agreements or contracts between common carriers and labor organizations; prescribing penalties.

Business and Labor.

COMMITTEE APPOINTED

On motion of Mr. Fite, the Speaker appointed Messrs. Nettles, Fite and Davis as a committee on the part of the House to escort the Governor to the House of Representatives to address a joint session of the Legislature.

JOINT SESSION

The Senate and House of Representatives met in an informal joint session in the Hall of the House of Representatives for the purpose of hearing an address by Honorable George C. Wallace, Governor of the State of Alabama.

His Excellency, George C. Wallace, Governor of the State of Alabama, who had just returned from Washington, D. C., and testified before the United States Senate Commerce Committee on pending civil rights legislation, appeared before the joint session and addressed the members of the Legislature.

The purpose of the joint session having been accomplished, the Senate retired to its Chamber, and the House resumed its order of business.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Branyon, Goodwyn, Locke, Edwards (Escambia), Grouby, Pierce, Davis, Vacca, Hawkins, Goldthwaite, Perry, Bowers, Morrow, Little, Bethea (M), Bethea (B) and Avery:

H. J. R. 87. Joint Resolution Memorializing Congress to Propose and Submit to the Several States for Ratification "The Liberty Amendment" proposed in the 87th Congress, Second Session, by HJR 23.

WHEREAS, America's greatness is the product of rigid Constitutional law that provides freedom from arbitrary governmental interference, and

WHEREAS, Violations of this principle have produced hundreds of federal corporate activities now competing with the private enterprises of the American people, and

WHEREAS, These federal corporate activities have taken over 40% of the land area and 20% of the industrial capacity of the Nation, and require more than half the federal revenue to pay their losses and hidden costs, and

WHEREAS, The purpose of the Ninth and Tenth Amendments to the Constitution was to limit the government to the specific activities delegated to it by the Constitution, and

WHEREAS, The Fifth Article of the Constitution provides that the people can exercise their rights to a redress of grievances through an amendment requiring concurrence of 2/3 of the members of both Houses of Congress, or by the application of the Legislatures of 2/3 of the several states, and in either case, ratification by 3/4 of the States;

RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we respectfully petition the Congress of the United States to propose and submit for ratification by

the legislatures of three-fourths of the several states the following article of amendment to the Constitution of the United States:

"Article.....

"Section 1. The Government of the United States shall not engage in any business, professional, commercial, financial or industrial enterprise except as specified in the Constitution.

"Section 2. The constitution or laws of any State, or the laws of the United States shall not be subject to the terms of any foreign or domestic agreement which would abrogate this amendment.

"Section 3. The activities of the United States Government which violate the intent and purposes of this amendment shall, within a period of three years from the date of the ratification of this amendment, be liquidated and the properties and facilities affected shall be sold.

"Section 4. Three years after the ratification of this amendment the sixteenth article of amendments to the Constitution of the United States shall stand repealed and thereafter Congress shall not levy taxes on personal incomes, estates, and/or gifts."

BE IT FURTHER RESOLVED That duly attested copies of this resolution be immediately sent to the Secretary of the Senate of the United States, the Clerk of the House of Representatives of the United States, and to each member of the Congress of the United States from this state.

Mr. Branyon moved to suspend the rules and adopt the resolution, H.J.R. 87.

Mr. Slate called for a division of the question.

Mr. Branyon then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 87, and said motion was lost.

Yeas 38; Nays 46.

Yeas:

Messrs.	Daniel	Hawkins	Paulk
Avery	Doggett	Hogan	Pierce
Bethea (B)	Edwards (Escambia)	Jones (Covington)	Pruitt
Bethea (M)	Edwards (Lowndes)	Jones (Monroe)	Rogers
Blanton	Gilmore	Little	Salter
Bowers	Glass	Locke	Scurlock
Branyon	Goldinwaite	McCorquodale	Sessions
Brown (Jefferson)	Goodwyn	Martin	Turnham
Cates	Grouby	Morrow	Vacca
Cornett	Hain	Nettles	

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Nays:

Mr. Speaker	Callahan	Dominick	Hannah
Albea	Camp	Downing	Harper
Bailes	Campbell (Jackson)	Drake	Heflin
Bassett	Carr	Edington	Hester
Bolton	Casey	Engel	Holladay
Boston	Collins	Etheredge	Ingram
Burnham	Cooper	Fields	McDermott
Burns	Crawford	Fite	Meeks

Moore	Powell	Snell	Turner (Limestone)
Nabors	Rast	Stembridge	Wood
NeSmith	Reynolds	Teel	Young
Pennington	Slate		

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And the resolution, H.J.R. 87, was read and referred to the Standing Committee on Rules.

Also:

By Messrs. Turner (Limestone), Goodwyn, Meeks, Locke, Rast, Perry, Bailes, Collins, Nabors, Owens, Burns, Daniel, Holladay, Crawford, Teel, Pierce, Turner (Crenshaw), Mashburn, Cornett, Bolton, Branyon, Campbell (Tuscaloosa), Wood, Little, Etheredge, Boston and Hester:

H. J. R. 88. WHEREAS, the members of the Legislature and their families were treated to an outstanding social occasion at Dauphin Island on the weekend of June 28-30; and

WHEREAS, the Mobile County Legislative Delegation assisted the hosts in entertaining us during this enjoyable and festive weekend; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That we express our sincere thanks for the cordiality, hospitality, and good fellowship afforded us by the Mobile Delegation.

On motion of Mr. Turner (Limestone) the rules were suspended and H.J.R. 88 was adopted.

Also:

By Messrs. Turner (Limestone), Rogers, Goodwyn, Perry, Powell, Meeks, Locke, Rast, Bailes, Collins, Nabors, Owens, Burns, Daniel, Casey, Holladay, Crawford, Teel, Turner (Crenshaw), Mashburn, Cornett, McDermott, Bolton, Hogan, Engel, Boston, Fields, Edington, Downing, Smith, Wood, Little, Etheredge, Branyon and Campbell (Tuscaloosa):

H. J. R. 89. WHEREAS, the members of the Alabama Legislature and the Governor's Staff were treated to a week-end at Dauphin Island on June 28, 29 and 30, 1963; and

WHEREAS, the week-end was a most enjoyable one which will be remembered by all of those in attendance for many years to come; and,

WHEREAS, many persons contributed time and effort in order to make this week-end a success; and,

WHEREAS, it is the desire of the Legislature to express its thanks to those persons;

NOW THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate thereof concurring therein, that its members hereby express their deepest appreciation and sincere thanks to the following individuals and organizations whose contributions were material in making this week-end such a singular success:

Mr. William P. Boggs, for his efforts in coordinating and planning the week-end; Mr. Ben Berger, for his untiring efforts in securing the boats from which fishing was enjoyed; Mr. William J. Adkins, of the Isle Dauphine Club, for his hospitality and many kindnesses in making all present

welcome at the Club; Mrs. William J. Adkins, for the excellent food prepared under her supervision; The Dauphin Island Businessmen's Association, for the work of its members in helping to make our stay such an enjoyable one; The Board of Directors of the Isle Dauphine Club, for making the facilities of the Club available for the use of those in attendance; Mrs. Carolyn Hager, Mr. John Hollman, Mr. Ed Sawyer, and Mrs. Carol Rhodes, for their assistance in seeking places of lodging for the legislators, their wives and families.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives be instructed to send a copy of the foregoing resolution to each of the individuals and organizations hereinabove named.

On motion of Mr. Turner (Limestone) the rules were suspended and H.J.R. 89 was adopted.

Also:

By Mr. Nabors:

H. R. 90. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, That the Honorable Chief Justice and Associate Justices of the Supreme Court of Alabama, or a majority of them, are respectfully requested to give this body their written opinions concerning the following important constitutional question which has arisen in connection with the pending measure, H.J.R. 86, which is incorporated herein by reference and made a part hereof as fully as if set out verbatim, to wit:

Is it within the competence and power of the Legislature at this session by resolution to change the date of holding the election on the constitutional amendment proposed in Act No. 91, H. 37, Second Special Session of 1963?

RESOLVED FURTHER, That the House Clerk is directed to send seven true copies of this resolution forthwith to the Clerk of the Supreme Court, together with seven true copies of said H.J.R. 86.

On motion of Mr. Nabors the rules were suspended and H.R. 90 was adopted.

Also:

By Messrs. Pennington, Turnham, Nettles, Daniel and Bolton:

H.J.R. 91. JOINT RESOLUTION MEMORIALIZING CONGRESS TO CALL A CONVENTION FOR THE PURPOSE OF PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE UNITED STATES RELATING TO THE QUALIFICATIONS AND TENURE OF FEDERAL JUDGES.

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That this Legislature respectfully petitions the Congress of the United States to call a convention for the purpose of proposing an amendment to the Constitution of the United States substantially as follows:

Proposed Amendment

"Article _____

"Section 1. Section 1 of Article III of the Constitution of the United States is hereby amended to read as follows:

"The Judicial power of the United States shall be vested in one supreme court, and in such inferior courts as the congress may from time to time ordain and establish. The judges, both of the supreme and inferior courts, holding office when this article becomes effective, unless removed for cause, shall remain in office until noon of the twentieth day of January following the first general election for members of the house of representatives of the congress held at least eight years after this article becomes effective. Judges of all the federal courts appointed or elected after this article becomes effective shall be appointed or elected for terms of eight years. The term of the first judges appointed or elected after this article becomes effective shall begin upon the expiration of the term of the then incumbent judges and shall end at noon on the twentieth day of January eight years thereafter. Thereupon, and every eight years thereafter a new term for federal judges shall begin.

"After this article becomes effective no person shall be eligible to the office of judge of the supreme court who has not served at least eight years as a trial judge of an inferior federal court. No person shall be eligible to the office of judge of a federal circuit court who has not served at least eight years as a trial judge of a federal court, and no person shall be eligible to the office of judge of a federal district court who has not served as a trial judge of either a federal court or of a state court of general jurisdiction.

"A judge of the supreme court, unless removed for cause, may remain in office after the expiration of a term if prior to each such expiration he files with the legislature of each state of the Union a declaration of candidacy to succeed himself and the legislatures of a majority of the states approve his retention in office. If a judge of the supreme court does not file such a declaration, as above provided, or if the legislatures of a majority of the states reject him, the office he holds shall become vacant upon the expiration of his term.

"A judge of a circuit or district court, unless removed for cause, may remain in office after the expiration of a term if prior to each such expiration he files a declaration of candidacy to succeed himself and his retention in office is approved all as hereinafter prescribed. In the case of a judge of a circuit court, the declaration shall be filed with the officer who certifies the names of candidates for the House of representatives of the congress to be put upon the ballot in each state which is a part of the circuit. In the case of a district judge, the declaration shall be filed with the officer who certifies the names of candidates for said house of representatives in the state which, in whole or in part, forms the district. The question of retaining in office a circuit or district judge who files a declaration as above provided shall be submitted to the voters of the circuit or district, as the case may be, at the general election in the state for members of the house of representatives next prior to the expiration of the judge's term of office. If a judge of a circuit or district court does not file such a declaration, as above provided, or if he is rejected at the election the office he holds shall become vacant upon the expiration of his term.

"The manner of holding the elections on the question of retention of a judge shall be prescribed in each state by the legislature thereof; but the congress may at any time by law make or alter such regulations, except as to the time of holding such elections. The results of all such elections held by the legislatures or the people in a state shall be certified to the same officer to whom the results of elections for members of the house of representatives of congress are certified; and if the tabulation of the results from the several states indicates that the vote is favorable to retaining a judge the clerk of the house of representatives of the congress shall so certify to the judge. The clerk's certificate shall be the judge's commission to continue in office. If the tabulation shows that the election went against

retaining the judge then the clerk shall certify to the authority authorized to fill vacancies in such judgeship that a vacancy therein will exist upon the expiration of the term of the incumbent judge.

“The judges, both of the supreme court and inferior courts, shall, at stated times, receive for their services a compensation, which shall not be diminished during their continuance in office.”

“Section 2. This Article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several states within seven years from the date of its submission.”

BE IT FURTHER RESOLVED that the clerk of this house is directed to send a duly authenticated copy of this resolution to the Clerk of the House of Representatives of the United States, to the Secretary of the United States Senate, to the clerk of the house of representatives of the several other states, to the secretary of the senate of the several other states, and to each member of Congress from this State.

On motion of Mr. Pennington the rules were suspended and H.J.R. 91 was adopted.

Also:

By Mr. Goldthwaite:

H. J. R. 92. WHEREAS the problems involved in racial disputes in the United States have greatly increased during recent weeks; and

WHEREAS President Kennedy and his brother Robert Kennedy have noticeably abstained from taking any action which might tend to lessen the rising pressures evolving from such disputes, but to the contrary have by their irresponsible utterances and untimely actions, greatly increased and heightened racial tensions; and

WHEREAS the Kennedys by submitting to the pressures of the mob for the sake of political expediency, have issued executive orders and instigated procedures contrary to the laws of the Congress; and

WHEREAS as a result of such illegal, irregular, and improper procedures, the rules and regulations of the United States Civil Service Administration have been circumvented, evidenced by the fact that at the present time in Montgomery, Alabama a position with the United States Post Office is being created for the sole and specific purpose of employing a member of the Negro race. Rather than filling such position with a person high on the merit system list of those qualified, two Negroes are being considered improperly who occupy places number 31 and 51 respectively on said list; and

WHEREAS although the United States post Office Administration has on several occasions publicly stated that because of lack of funds, certain services must be reduced or curtailed, the Post Office Department is submitting to the pressures of mob action as it is now in the process of creating a new job which is completely unnecessary and is to exist solely for the specific purpose of employing a member of the Negro race; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this legislature does hereby condemn such actions on the part of the Post Office Department and requests our Senators and Congressmen to demand of those responsible for such irregularities to cease the same immediately.

BE IT FURTHER RESOLVED that copies of this resolution be sent to each member of the Alabama Congressional delegation and to the United States Postmaster General.

On motion of Mr. Goldthwaite the rules were suspended and H.J.R. 92 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 110. To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151 adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$2,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$2,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under the said Constitutional Amendment; to provide for investment of the proceeds of any bonds issued hereunder and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment to make appropriation for payment of the principal of and interest on bonds issued under the said Constitutional Amendment from the General Fund of the State; to provide for the acquisition of property for the purposes of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; and to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature or Act No. 716 adopted at the 1961 Regular Session of the Legislature, and to provide that surplus revenues derived from operation of the state docks facilities at the Port of Mobile may be used to meet operating deficits of the facilities constructed under said Constitutional Amendment.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Fite the House concurred in and adopted Senate amendment No. 1 to the bill, H. 110, said Senate amendment being as follows:

Amendment No. 1 to H.B. 110

Section 8 of said bill is amended by striking out the clause in the fourth sentence which reads as follows:

"provided, that the first installment of principal of the bonds of each series must mature not later than ten years from the date of such series and the last installment of principal of the bonds of any series must mature not later than thirty years from such date;"

and

Insert in lieu thereof the following:

"provided that the first installment of principal of bonds of each series must mature not later than three years from the date of such series and the last installment of principal of bonds of such series shall mature not later than twenty years from such date; and provided further that the total principal and interest maturing on the bonds of any series in any one year shall not exceed twice the smallest amount of such principal and interest maturing in any preceding year;"

House Bill 110 is hereby further amended by striking out the words "Refunding Bonds and" in the title to Section 13 of said bill and by striking out the first two sentences thereof.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hain	Pierce
Albea	Crawford	Harper	Powell
Avery	Daniel	Heflin	Rast
Bassett	Davis	Hogan	Rogers
Blanton	Doggett	Locke	Salter
Boston	Downing	McCorquodale	Scurlock
Branyon	Edington	McDermott	Sessions
Brown (Jefferson)	Edwards (Escambia)	Martin	Slate
Brown (Tuscaloosa)	Edwards (Lowndes)	Meeks	Smith
Burnham	Engel	Moore	Snell
Callahan	Etheredge	Nabors	Stembridge
Camp	Fields	NeSmith	Teel
Campbell (Tuscaloosa)	Fite	Nettles	Thomas
Cantrell	Gilmore	Owens	Turnham
Cates	Glass	Paulk	Wood
Cook	Goodwyn	Pennington	Young

—64

On motion of Mr. Fite the House concurred in and adopted Senate amendment No. 2 to the bill, H. 110, said Senate amendment being as follows:

Amendment No. 2 to H.B. 110

Strike clause (c) in the next to last sentence of Section 1 of said bill (which clause appears in the definition of "Surplus revenues of the Port of Mobile facilities") and insert in lieu thereof the following:

"and (c) the obligations and agreements on the part of the department which may have been made in any order of the department providing for issuance of any securities at the time outstanding which were theretofore issued by the department or by the State and for the payment of which revenues from the Port of Mobile facilities were pledged."

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hogan	Powell
Albea	Crawford	Holladay	Rast
Bailes	Daniel	Locke	Rogers
Bassett	Davis	McCorquodale	Salter
Blanton	Downing	McDermott	Scurlock
Boston	Edington	Martin	Sessions
Branyon	Edwards (Escambia)	Meeks	Smith
Brown (Jefferson)	Engel	Moore	Snell
Brown (Tuscaloosa)	Etheredge	Morrow	Stembridge
Burnham	Fields	Nabors	Teel
Callahan	Fite	NeSmith	Thomas
Camp	Gilmore	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Owens	Turnham
Cantrell	Goldthwaite	Paulk	Wood
Casey	Hain	Pennington	Young
Cook	Heflin	Pierce	

—63

On motion of Mr. Fite the House concurred in and adopted Senate amendment No. 3 to the bill, H. 110, said Senate amendment being as follows:

Amendment No. 3 to H.B. 110

Amend H. B. 110 by deleting Section 15 in its entirety and inserting in lieu thereof:

"Section 15. Use of Surplus Revenue of the Port of Mobile Facilities to Pay Operating Deficit of Inland Waterways Facilities. If at the end of any fiscal year there are surplus revenues of the Port of Mobile facilities with respect to that fiscal year and an operating deficit of the inland waterways facilities with respect to that fiscal year then any such surplus revenues shall be used to meet any such operating deficit."

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Fite	Morrow
Albea	Casey	Gilmore	Nabors
Bailes	Cates	Glass	NeSmith
Bassett	Cook	Goldthwaite	Nettles
Blanton	Cornett	Hain	Owens
Boston	Crawford	Heflin	Paulk
Branyon	Daniel	Hogan	Pennington
Brown (Jefferson)	Davis	Holladay	Pierce
Brown (Tuscaloosa)	Downing	Locke	Powell
Burnham	Edington	McCorquodale	Pruitt
Burns	Edwards (Escambia)	McDermott	Rast
Callahan	Engel	Martin	Rogers
Camp	Etheredge	Meeks	Salter
Campbell (Tuscaloosa)	Fields	Moore	Scurlock

Sessions
Smith
Snell

Stembridge
Teel
Thomas

Turner (Crenshaw)
Turnham

Wood
Young

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 133. To amend the Title and Section 1 of Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), entitled "An Act To fix the compensation of members of the court of county commissioners, board of revenue, or like governing body of all counties having a population of not more than 11,900, according to the last or any subsequent federal decennial census."

Also:

H. 559. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 560. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and all certain other territory in Jefferson County, Alabama, contiguous to said city.

Also:

H. 594. Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County, Alabama.

Also:

H. 600. To repeal Act No. 47, H. 70, Second Special Session 1963, relating to counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 601. To provide an expense allowance for members of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 15,300 nor more than 15,400, according to the last or any subsequent federal decennial census; giving the Act limited retroactive effect.

Also:

H. 604. To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 595. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of expense allowances to members of the county governing body.

Also:

H. 596. To authorize and direct the county board of education in all counties having populations of not less than 21,850 nor more than 21,950, according to the most recent federal decennial census, to fix the salary and expense allowance of the county superintendent of education at amounts not less than the salaries and expenses paid to certain other employees of the board.

Also:

H. 550. To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

Also:

H. 566. Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties.

Also:

H. 555. Relating to counties having populations of not less than 15,500 nor more than 16,300; vesting in the probate courts of such counties the civil jurisdiction of justice of the peace courts.

Also:

H. 547. To provide for the compensation of jurors in Choctaw County.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 548. To regulate further the compensation and allowances of election officers in Choctaw County.

Also:

H. 558. To provide for the compensation of county or deputy solicitors in counties having populations of not less than 15,000 nor more than 15,300.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 506. Relating to the first judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Also:

H. 387. Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation may be paid by the county; repealing conflicting laws.

Also:

H. 404. Relating to counties having populations of not less than 300,000 nor more than 500,000; to provide further for fixing valuations of real property for ad valorem taxation.

Also:

H. 448. To apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a license tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax and to provide the machinery for the collection thereof and the operation of this Act; and to provide for the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act, and prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, or possessed by a retail dealer, which do not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of Alabama of 1947, published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the collection of a license tax on malt or brewed beverages.

Also:

H. 493. Relating to counties having populations of not less than 15,400 nor more than 16,000; fixing the compensation of the county or deputy solicitor in such counties.

Also:

H. 509. Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Also:

H. 513. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city; and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 515. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

Also:

H. 528. To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Also:

H. 529. Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

Also:

H. 463. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 487. Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

Also:

H. 488. Relating to the court fees and costs of the Jefferson County Civil Court.

Also:

H. 517. To amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 352. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 480. To amend further Act No. 541, H. 512, Regular Session 1951, an act providing for the allocation of the duties of the chairman and

members of the city commission of certain cities classified on a population basis and providing for their compensation.

Also:

H. 489. Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32) and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

Also:

H. 490. Relating to Lauderdale County, providing for additional meetings of the board of registrars.

Also:

H. 491. To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

M. LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Wilson:

S. 243. Relating to Walker County; providing for and establishing a central purchasing system for the county, and for all officers, offices, departments, and instrumentalities of the county, including public hospitals but excluding the county board of education.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; providing for and establishing a central purchasing system for the county, and for all officers, offices, departments and instrumentalities of the county, including the county board of education and public hospitals.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In Walker County, after this Act takes effect, the presiding judge, chairman, or president of the court of county commissioners, board of revenue or other like county governing body shall serve as the county purchasing agent without additional compensation. He shall buy (or contract) for the county, and for all officers, offices, departments, and instrumentalities of the county, including the county board of education and public hospitals within the county, all books, stationery, supplies, equipment, machinery, materials and services needed by them, on requisition or orders adopted, signed, or approved in the manner prescribed by law. Subject to approval by the county governing body, the purchasing agent shall have authority:

- 1) To establish standard specifications for supplies, equipment, and materials used by the county officials, offices, and departments;
- 2) to operate a central storeroom;
- 3) to require county officers, offices, and departments to prepare estimates of requirements;
- 4) to transfer among the county officers, offices, and departments surplus supplies, equipment, and materials, or to sell surplus or obsolete items after receiving at least three competitive bids upon such surplus or obsolete items;
- 5) to promulgate reasonable rules and regulations governing the acquisition of supplies, materials, and equipment, or the disposal of surplus or obsolete personal property of the county.

Section 2. The purchasing agent shall obtain at least three written, sealed competitive bids for all purchases of or contracts for, supplies, equipment, materials, and contractual services when the amount involved is two hundred fifty dollars (\$250) or more. If the purchase or contract involves an amount of less than two hundred fifty dollars (\$250), the purchasing agent may make such purchases or contracts either upon the basis of sealed bids or in the open market, in his discretion; but, so far as practicable, such purchases or contracts shall be based upon at least three competitive bids. It shall be a violation of the section to divide or otherwise adjust the quantity of a purchase to an amount less than two hundred fifty dollars (\$250) for the purpose of evading this section. Invitations for bids shall be posted on a bulletin board in the county courthouse and sent to prospective suppliers at least one week before the final date for submitting bids. Bids shall be opened publicly by the purchasing agent at a time and place stated in the invitations. The purchasing agent shall award the purchase to the lowest responsible bidder, or he may reject all bids and renegotiate the purchase when the public interest will be served thereby. The purchasing agent shall obtain information from the division of purchases and stores of the state department of finance concerning the price to the State of the items to be purchased, and if the State price is less than the lowest bid received, and if the delivery date is reasonable, all bids shall be rejected and the purchase shall be negotiated through the state purchasing agent.

In an emergency arising from any unforeseen causes, including delay by contractors, delay in transportation breakdown in machinery or other

work stoppage, and unanticipated volume of work, the purchasing agent may negotiate a purchase costing two hundred fifty dollars (\$250) or more by soliciting three competitive bids informally, either verbally or by telephone, telegraph, or letter and without obtaining information from the division of purchases and stores.

The provisions of this Act regarding three competitive bids and obtaining information from the division of purchases and stores may also be waived in cases of emergency involving actual danger to life or property, and for purchases of perishable commodities, items and services of a technical or specialized nature, utility services, insurance, and commodities or services for which there is no competitive situation.

The provisions of this Act requiring purchases to be made through the county purchasing agent may be waived in the case of small purchases costing no more than ten dollars (\$10), provided that no such purchase is part of a larger purchase which has been divided for the purpose of coming within this exception.

All county officers and all county officials and departments shall inspect, upon delivery, all materials, supplies, and equipment purchased by the purchasing agent, and no item shall be accepted and paid for without having been approved by the officer, office, or department requesting the purchase. Any official or person who purchases or procures any supplies, materials, equipment, or services contrary to the provisions of this section shall be personally liable for the amount of such purchase.

Section 3. Supplies, materials, equipment, and services shall be furnished to the county officers, offices, departments, and instrumentalities only upon written requisition setting forth the articles needed signed by the officer authorized by law to give the order. The requisition shall state by items the articles that are desired and needed, that the articles are necessary, that the amount of the requisition is not excessive, and that no part of the articles will be used except in conducting the public business. The requisitions, with the purchase invoices attached, shall be kept on file in the office of the purchasing agent, in an orderly manner, as a permanent record subject to public inspection at all reasonable times.

Section 4. The purchasing agent shall keep a current inventory of all property owned or leased by the county, which inventory record shall show where such property is located and in whose possession or under whose control it is.

Section 5. Before entering upon the discharge of his duties, the county purchasing agent shall execute a bond in the sum of fifteen thousand dollars (\$15,000). The bond shall be payable to Walker County, with good and sufficient surety, and shall be conditioned upon the faithful discharge and performance of his duties. The bond shall be filed and recorded in the office of the judge of probate of the county, and the premium thereon shall be paid by the county.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. All laws or parts of laws in conflict with the provisions of this Act are repealed.

Section 8. This Act shall take effect on the first day of the month next following the date of enactment.

ROBERT T. WILSON,
Senator 12th District

Th. 5-16, 23, 30, 6-6.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard Dowis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30 and June 6, all in the year 1963.

RICHARD DOWIS.

Sworn to and subscribed before me June 20, 1963.

FAY O'REAR,
Title Notary Public.

Also:

By Mr. Bentley:

S. 266. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and reestablishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

STATE OF ALABAMA
COUNTY OF BLOUNT

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and reestablishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of finance and control of Blount County created by Act No. 334, H. 954, approved September 2, 1955, is abolished, and in lieu thereof there is hereby restored and reestablished in Blount County

a court of record styled the court of county commissioners of Blount County, which shall be composed of the judge of probate as principal judge, and four commissioners who shall be elected as hereinafter provided.

Section 2. One county commissioner shall be elected from each of the four districts into which the county is now divided by law for the purpose of electing members of the county governing body of Blount County. A candidate for county commissioner must be a qualified elector and legal resident of the district he seeks to represent and shall continue to reside therein during his continuance in office. Commissioners from districts one and three shall be elected at the general election to be held in 1966, and every four years thereafter. Commissioners from districts two and four shall be elected at the general election to be held in 1964, and every four years thereafter. The commissioners elected under the provisions of this Act shall hold office for terms of four years from the first Monday after the second Tuesday in January next succeeding their election, and until their successors are elected and qualified.

Section 3. The present four associate members of the board of finance and control of Blount County shall serve as county commissioners of the court of county commissioners of Blount County until their successors are elected and qualified as herein provided.

Section 4. Each commissioner elected under the provisions of this Act shall receive as compensation for the services rendered in his capacity as commissioner a salary of three thousand dollars (\$3,000) per annum, payable in equal monthly installments, plus mileage at the rate of seven cents (\$.07) per mile for each mile traveled on official county business, but the mileage provided herein shall not exceed fifty dollars (\$50.00) per month. A part of the commissioners' salaries may be paid out of the county gasoline tax revenues, provided that the part of such salaries so paid out of county gasoline tax revenues shall bear the same proportion to the total salary paid to such commissioner as the time devoted by such commissioner to supervising, inspecting, accepting, building, or repairing county roads and bridges bears to the total time devoted by such commissioner to all his duties as a member of the court of county commissioners. The court of county commissioners shall determine the proportion of such salaries to be paid out of county gasoline revenues. The judge of probate of Blount County shall be entitled to the compensation provided by law for judges of probate who serve as principal judge of courts of county commissioners.

Section 5. The court of county commissioners of Blount County shall have all the jurisdiction and powers which are, or which hereafter may be vested in courts of county commissioners, boards of revenue, or like county governing bodies by the general laws of this state, or vested in the governing body of Blount County by local law; and the members of the court of county commissioners shall perform all the duties and services and exercise all the powers which are, or which hereafter may be, provided by the general laws of this State for the members of courts of county commissioners, boards of revenue, or like county governing bodies, or for the members of the governing body of Blount County by local law.

Section 6. All laws or parts of laws in conflict with this Act are repealed; and Act No. 334, H. 954, approved September 2, 1955, which created the board of finance and control of Blount County, is expressly repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. The substantial provisions of this Act shall become operative only if approved by a majority of the qualified electors of Blount Coun-

ty who vote in a referendum to be held on the same day as the first county-wide election held after the date of this enactment. The board of finance and control of Blount County shall order and provide for the holding of the referendum on such date. On the ballots to be used at the referendum the question shall be stated substantially as follows: "Shall the provisions of Act No. of the 1963 Regular Session of the Legislature, which abolishes the board of finance and control of Blount County and recreates and re-establishes in lieu thereof a court of county commissioners for Blount County, be adopted? (Yes) (No)." If the majority of the votes cast at the referendum are "Yes," all the provisions of this Act shall become operative immediately. If the majority of the votes cast are "No," the Act shall have no further effect. The judge of probate of Blount County shall certify the results of the election to the Secretary of State of Alabama within thirty days after the result thereof has been ascertained.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BLOUNT

Before me, the undersigned authority in and for said County in said State, this day personally appeared Rice M. Howard, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was editor of the Southern Democrat, a newspaper of general circulation published in Blount County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 30, June 6, June 13, and June 20, all in the year 1963.

RICE M. HOWARD,
Publisher.

Sworn to and subscribed before me June 26, 1963.

MOLLY RYAN,
Title Notary Public.

M. LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

- S. 243. Local Legislation No. 1.
- S. 266. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Roberts:

- S. 258. For the relief of W. O. Cobb of Madison County; authorizing the board of county commissioners, board of revenue, or other like govern-

ing body of Madison County to make an appropriation of county funds to compensate W. O. Cobb for certain damages.

With notice and proof thereto attached and herewith exhibited as follows:

**STATE OF ALABAMA
COUNTY OF MADISON**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

For the relief of W. O. Cobb of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate W. O. Cobb for certain damages.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of county commissioners, board of revenue or other like governing body of Madison County may appropriate from any funds in the county treasury not otherwise appropriated the sum of seventy-two dollars and thirty cents (\$72.30) for the relief of W. O. Cobb of Madison County to compensate him for damages sustained when his automobile windshield was hit by a rock thrown from a wheel of a motor vehicle owned by Madison County and being operated on a public road in the county at the time by an employee of the county, which accident occurred under such circumstances that the county is justly obligated to pay the damages but the said W. O. Cobb has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

**STATE OF ALABAMA
MADISON COUNTY**

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville, Madison County, Alabama, and that the attached legal notice was published in said newspaper on March 19, 26, April 2 and 9, 1963.

**W. C. LEWIS,
Secretary-Treasurer.**

Sworn to and subscribed before me this the 10 day of April, 1963.

**OPAL H. DILWORTH,
Notary Public.**

My commission expires April 16, 1963.

Also:

By Mr. Roberts:

S. 259. For the relief of H. E. McBride of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to appropriate county funds for such purpose.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of H. E. McBride of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to appropriate county funds for such purpose.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of county commissioners, board of revenue, or other like governing body of Madison County may appropriate the sum of thirty dollars (\$30) from any funds in the county treasury not otherwise appropriated, for the relief of H. E. McBride of Madison County to compensate him for property damages sustained as a result of a motor vehicle collision in December, 1962. The accident involved a motor vehicle owned by Madison County which was being operated on a public road in the county at the time by an employee of the county, and the accident occurred under such circumstances that the said H. E. McBride has no recourse at law to recover his damages, yet the county is morally and justly obligated to pay the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 19, March 26, April 2, and April 9, all in the year 1963.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me April 10, 1963.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Mr. Roberts:

S. 260. For the relief of Sammy White of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Sammy White for certain damages.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF MADISON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

For the relief of Sammy White of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body in Madison County to make an appropriation of county funds to compensate Sammy White for certain damages.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of county commissioners, board of revenue, or other like governing body of Madison County may appropriate from any funds in the county treasury not otherwise appropriated the sum of one hundred five dollars and seventy-five cents (\$105.75) for the relief of Sammy White of Madison County to compensate him for damages sustained when his automobile windshield was hit by a rock thrown from a wheel of a motor vehicle owned by Madison County and being operated on a public road in the county at the time by an employee of the county, which accident occurred under such circumstances that the county is justly obligated to pay the damages but the said Sammy White has no recourse at law to recover the same.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MADISON

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. C. Lewis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Secretary-Treasurer of the Huntsville Times, a newspaper of general circulation published in Madison County, Alabama, and that the attached notice was published in said newspaper once a week for four successive

weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 19, March 26, April 2, and April 9, all in the year 1963.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me April 10, 1963.

OPAL H. DILWORTH,
Title Notary Public.

Also:

By Mr. Adams:

S. 262. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Gordon, Houston County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

NOTICE

Notice is hereby given of the intention to apply in the next regular session of the Legislature of Alabama which convenes beginning the first Tuesday in May, 1963, for the passage of a local law substantially in words and figures as follows:

"AN ACT

TO EXTEND, ALTER AND REARRANGE THE BOUNDARY LINES AND CORPORATE LIMITS OF THE TOWN OF GORDON, HOUSTON COUNTY, ALABAMA.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundary lines and corporate limits of the Town of Gordon, Houston County, Alabama, be and the same are hereby extended, altered and rearranged so as to include within the corporate limits of said Town of Gordon all of the following described territory:

Beginning at a point 1320 feet East of the intersection of the East line of Alabama Highway 95 with the North boundary line of U. S. Highway 84; thence due South to a point 200 feet South of U. S. Highway 84, thence in a westerly direction parallel with and 200 feet south of said U. S. Highway 84 a distance of two and one-half miles to the east line of the Southwest quarter of Section 14, Township 2 North, Range 29 East, Houston County, Alabama; thence running north along the east line of said southwest quarter of said Section 14 and along the east line of the northwest quarter of said Section 14 and along the east line of the southwest quarter and of the northwest quarter of Section 11, Township 2 North, Range 29 East, to the intersection of the east line of said northwest quarter of said Section 11 and the east side of Alabama Highway 95; thence in a southerly direction along the eastern boundary line of said Alabama Highway 95 to the intersection of said highway with the South line of Section 12, thence due East along said Section line to the SW corner of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 12, Township 2, Range 29, thence North along the west line of said forty to a point 1320 feet due north of the north boundary of

Alabama Highway 95, thence in a southeastward direction to the point of beginning, said line being parallel with and 1320 feet northerly of said highway.

Section 2. All laws and parts of laws in conflict with the provisions of this Act are hereby repealed.

Section 3. This act shall be effective upon its passage and approval by the Governor, or upon its otherwise becoming a law."

STATE OF ALABAMA HOUSTON COUNTY

Before me, the undersigned authority in and for said County in said State, this day, personally appeared Mirl Crosby, who is known to me and who, being by me first duly sworn, deposes and says: That he is Business Manager of The Dothan Eagle, a newspaper published at Dothan, in Houston County, Alabama, and that a copy of the attached advertisement appeared once a week for 5 successive weeks, on the following dates: March 25; April 1, 8, 15, 22, 1963 in The Dothan Eagle, which said Dothan Eagle has a general circulation in the County in which it is published, and has been mailed under the second class mailing privileges of the United States Post Office Department from the post office where it is published for more than fifty-two (52) consecutive weeks prior to this publication.

MIRL CROSBY.

Sworn to and subscribed before me on this 23rd day of April, 1963.

B. WALLACE MILLER,
Notary Public.

M. LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 258. Local Legislation No. 1.

S. 259. Local Legislation No. 1.

S. 260. Local Legislation No. 1.

S. 262. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 512. To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Eufora County.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Powell the House concurred in and adopted the Senate amendment to the bill, H. 512, said Senate amendment being as follows:

Amendment to H.B. 512

Strike out Section 3 of the bill and insert in lieu thereof the following:

Section 3. This Act shall become effective on the first day of the month succeeding the month during which the Act shall be approved by the Governor, or otherwise becomes a law.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hogan	Powell
Albee	Crawford	Ingram	Rast
Bailes	Daniel	Jones (Covington)	Rogers
Bassett	Doggett	Locke	Salter
Blanton	Downing	McCorquodale	Scurlock
Boston	Edwards (Escambia)	McDermott	Sessions
Bowers	Edwards (Lowndes)	Meeks	Snell
Branyon	Engel	Moore	Stembridge
Brown (Jefferson)	Fields	Morrow	Teel
Burnham	Gilmore	Nabors	Thomas
Burns	Glass	Owens	Turner (Greenshaw)
Camp	Goldthwaite	Paulk	Turnham
Casey	Hain	Pennington	Wood
Cates	Harper	Pierce	Young
Cook	Heflin		

—58

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bills and ordered same sent forthwith to the House without engrossment:

By Mr. Tyson:

S. 246. Proposing a constitutional amendment relating to the City of Bayou La Batre in Mobile County.

Also:

By Mr. Adams:

S. 255. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

M. LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and fore-

going Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 246. Was read a first time at length as required by the Constitution, and referred to the Standing Committee on Local Legislation No. 3.

S. 255. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 446. To vacate certain streets, avenues and alleys, and other public ways in part of the area in the City of Birmingham known as Urban Renewal Project Ala. R-22, occupying part of the area west of Avenue "V", North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley.

M. LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Rast the House concurred in and adopted the Senate amendment to the bill, H. 446, said Senate amendment being as follows:

Amendment to House Bill 446

House Bill 446 is hereby amended by adding at the end of Section 1 thereof the following:

"Such vacation shall be subject to the rights of existing public utilities on such streets, avenues, alleys, public highways and public passageways to operate, repair and maintain their lines as now located."

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hogan	Rast
Albee	Crawford	Ingram	Rogers
Bailes	Daniel	Jones (Covington)	Salter
Bassett	Doggett	McCorquodale	Scurlock
Blanton	Downing	Meeks	Sessions
Boston	Edwards (Escambia)	Moore	Slate
Branyon	Edwards (Lowndes)	Morrow	Snell
Brown (Jefferson)	Engel	Nabors	Stembridge
Burnham	Etheredge	NeSmith	Teel
Burns	Fields	Nettles	Thomas
Callahan	Gilmore	Owens	Turner (Crenshaw)
Camp	Glass	Paulk	Turnham
Casey	Hain	Pierce	Wood
Cates	Heflin	Powell	Young
Cook	Hester		

H. 478 POSTPONED

On motion of Mr. Meade, consideration of the bill, H. 478, was postponed until the next legislative day.

BILLS ON THIRD READING RESUMED
REGULAR CALENDAR

H. 552. Relating to the superintendent of education of Crenshaw County; providing for his appointment, qualifications, compensation and allowances; repealing Act No. 83, H. 68, Regular Session 1931 (Local Acts 1931, p. 21), and all other conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Cates	Hogan	Pierce
Albea	Crawford	Ingram	Powell
Bailes	Daniel	Jones (Covington)	Rast
Bassett	Davis	Locke	Rogers
Bethea (M)	Doggett	McCorquodale	Salter
Blanton	Downing	Meeks	Scurlock
Boston	Edington	Moore	Sessions
Bowers	Edwards (Escambia)	Morrow	Slate
Branyon	Edwards (Lowndes)	Nabors	Snell
Brown (Jefferson)	Engel	NeSmith	Stembridge
Brown (Tuscaloosa)	Fields	Nettles	Teel
Burnham	Gilmore	Owens	Thomas
Burns	Glass	Paulk	Wood
Camp	Hain	Pennington	Young
Casey	Heflin		

—58

And the bill:

H. 611. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955, and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof; providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Crawford	Edwards (Lowndes)
Albea	Brown (Tuscaloosa)	Daniel	Engel
Avery	Burnham	Davis	Etheredge
Bailes	Burns	Doggett	Fields
Bassett	Camp	Dominick	Gilmore
Bethea (M)	Campbell (Tuscaloosa)	Downing	Glass
Blanton	Casey	Edington	Goodwyn
Boston	Cates	Edwards (Escambia)	Hain

Harper	Meeks	Pennington	Slate
Heflin	Moore	Powell	Snell
Hogan	Morrow	Rast	Stembridge
Ingram	Nabors	Rogers	Teel
Jones (Covington)	NeSmith	Salter	Thomas
Locke	Nettles	Scurlock	Wood
McCorquodale	Paulk	Sessions	Young
Martin			

—61

And the bill:

H. 612. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Blount County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Davis	Harper	Paulk
Albea	Doggett	Heflin	Powell
Bailes	Dominick	Hogan	Rast
Bassett	Downing	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Salter
Branyon	Edwards (Escambia)	Locke	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Sessions
Brown (Tuscaloosa)	Engel	Meeks	Slate
Burnham	Etheredge	Moore	Snell
Burns	Fields	Morrow	Stembridge
Camp	Gilmore	Nabors	Teel
Casey	Glass	NeSmith	Thomas
Cates	Goodwyn	Nettles	Wood
Crawford	Hain	Owens	Young
Daniel			

—57

And the bill:

H. 617. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Daniel	Engel
Albea	Brown (Tuscaloosa)	Davis	Etheredge
Bailes	Burnham	Doggett	Fields
Bassett	Burns	Dominick	Gilmore
Bethea (M)	Camp	Downing	Glass
Blanton	Campbell (Tuscaloosa)	Edington	Goodwyn
Boston	Casey	Edwards (Escambia)	Hain
Branyon	Crawford	Edwards (Lowndes)	Harper

Heflin	Morrow	Pierce	Slate
Hogan	Nabors	Powell	Snell
Jones (Covington)	NeSmith	Rast	Stembridge
Locke	Nettles	Rogers	Teel
McCorquodale	Owens	Salter	Thomas
Meeks	Paulk	Scurlock	Wood
Moore	Pennington	Sessions	Young

—60

And the bill:

H. 639. Relating to Cities having a population of not less than 16,000, nor more than 26,000, according to the 1960 or any subsequent decennial census of the population of the United States; changing the method of electing the designation of, and fixing the term of office of, members of the Board of Commissioners of any such City.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hogan	Pennington
Albea	Daniel	Holladay	Powell
Avery	Davis	Ingram	Rogers
Bassett	Doggett	Jones (Covington)	Salter
Bethea (M)	Downing	Locke	Scurlock
Blanton	Edington	McCorquodale	Sessions
Boston	Edwards (Escambia)	Martin	Slate
Branyon	Edwards (Lowndes)	Meeks	Snell
Brown (Jefferson)	Engel	Moore	Stembridge
Brown (Tuscaloosa)	Glass	Nabors	Teel
Burnham	Goodwyn	NeSmith	Thomas
Burns	Hain	Nettles	Wood
Casey	Harper	Owens	Young
Cates	Heflin	Paulk	

—71

And the bill:

H. 640. To apply in all counties having a population of not less than 65,000 nor more than 95,000 inhabitants, according to the last or any subsequent federal decennial census; Fixing the compensation of the Clerk of the Jury Commission in all such counties.

Was read a third time at length and passed, and ordered sent forthwith to the senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Doggett	Goodwyn
Albea	Burnham	Dominick	Hain
Avery	Burns	Downing	Harper
Bailes	Camp	Edington	Heflin
Bassett	Casey	Edwards (Escambia)	Hogan
Bethea (M)	Cates	Edwards (Lowndes)	Holladay
Blanton	Crawford	Engel	Ingram
Boston	Daniel	Gilmore	Jones (Covington)
Branyon	Davis	Glass	Locke

McCorquodale	Nettles	Rogers	Teel
Martin	Owens	Salter	Thomas
Meeks	Paulk	Scurlock	Turner (Crenshaw)
Moore	Pennington	Sessions	Turnham
Morrow	Pierce	Slate	Wood
Nabors	Powell	Snell	Young
NeSmith	Rast	Stembridge	

—63

And the bill:

H. 641. Relating to counties having populations of not less than 65,000 nor more than 95,000; regulating and providing for the payment of compensation of certain county officers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Crawford	Holladay	Powell
Albea	Daniel	Ingram	Rast
Avery	Davis	Jones (Covington)	Rogers
Bailes	Doggett	Locke	Salter
Bassett	Downing	McCorquodale	Scurlock
Bethea (M)	Edington	Meeks	Sessions
Blanton	Edwards (Escambia)	Moore	Slate
Boston	Edwards (Lowndes)	Morrow	Snell
Bowers	Engel	Nabors	Stembridge
Branyon	Gilmore	NeSmith	Teel
Brown (Jefferson)	Glass	Nettles	Thomas
Burnham	Goodwyn	Owens	Turner (Crenshaw)
Burns	Hain	Paulk	Turnham
Camp	Harper	Pennington	Wood
Casey	Heflin	Pierce	Young
Cates	Hogan		

—62

And the bill:

H. 643. To amend further Code of Alabama 1940, Title 19, Section 11, which relates to the appointment of commissioners in condemnation proceedings, so as to delete therefrom a proviso applicable to counties having populations of not less than 51,000 nor more than 56,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Burnham	Doggett	Hain
Albea	Burns	Downing	Harper
Bailes	Camp	Edington	Heflin
Bassett	Campbell (Tuscaloosa)	Edwards (Escambia)	Hogan
Boston	Casey	Edwards (Lowndes)	Holladay
Bowers	Cates	Engel	Ingram
Branyon	Crawford	Gilmore	Jones (Covington)
Brown (Jefferson)	Daniel	Glass	Locke
Brown (Tuscaloosa)	Davis	Goodwyn	McCorquodale

Martin	Owens	Rogers	Teel
Meeks	Paulk	Salter	Thomas
Moore	Pennington	Scurlock	Turner (Crenshaw)
Morrow	Pierce	Sessions	Turnham
Nabors	Powell	Snell	Wood
NeSmith	Rast	Stembridge	Young
Nettles			

—61

And the bill:

S. 154. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than 24,525 nor more than 24,675 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Cates	Heflin	Pierce
Albea	Crawford	Hogan	Powell
Avery	Daniel	Holladay	Rast
Bailes	Davis	Ingram	Rogers
Bassett	Doggett	Jones (Covington)	Salter
Bethea (M)	Downing	Locke	Scurlock
Blanton	Edington	McCorquodale	Slate
Boston	Edwards (Escambia)	Meeks	Snell
Bowers	Engel	Moore	Stembridge
Branyon	Etheredge	Morrow	Teel
Brown (Jefferson)	Gilmore	Nabors	Thomas
Brown (Tuscaloosa)	Glass	NeSmith	Turner (Crenshaw)
Burnham	Goodwyn	Nettles	Turnham
Burns	Hain	Owens	Wood
Camp	Harper	Paulk	Young
Casey			

—61

And the bill:

S. 163. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Butler so as to annex certain territory to the town.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Downing	Hogan
Albea	Burnham	Edington	Holladay
Avery	Burns	Edwards (Escambia)	Ingram
Bailes	Camp	Edwards (Lowndes)	Jones (Covington)
Bassett	Campbell (Tuscaloosa)	Engel	Locke
Bethea (M)	Casey	Gilmore	McCorquodale
Blanton	Cates	Glass	Meeks
Boston	Crawford	Goodwyn	Moore
Bowers	Daniel	Hain	Morrow
Branyon	Davis	Harper	Nabors
Brown (Jefferson)	Doggett	Heflin	NeSmith

Nettles	Powell	Sessions	Turner (Crenshaw)
Owens	Rast	Snell	Turnham
Paulk	Rogers	Stembridge	Wood
Pennington	Salter	Teel	Young
Pierce	Scurlock	Thomas	

—68

And the bill:

S. 168. To Amend Section 4 of Act No. 119 of the Regular Session of the Legislature of 1961, an act providing for deputies, clerks and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks and assistants.

Was read a third time at length and passed.

Yeas 62; Nays 1.

Yeas:

Mr. Speaker	Crawford	Holladay	Pierce
Albea	Daniel	Ingram	Powell
Avery	Davis	Jones (Covington)	Rast
Bailes	Doggett	Locke	Rogers
Bassett	Downing	McCorquodale	Salter
Bethea (M)	Edington	Martin	Scurlock
Blanton	Edwards (Escambia)	Meeks	Sessions
Bowers	Edwards (Lowndes)	Moore	Snell
Branyon	Engel	Morrow	Stembridge
Brown (Jefferson)	Etheredge	Nabors	Teel
Burnham	Gilmore	NeSmith	Thomas
Burns	Glass	Nettles	Turner (Crenshaw)
Camp	Hain	Owens	Turnham
Casey	Harper	Paulk	Wood
Cates	Heffin	Pennington	Young
Cornett	Hogan		

—62

Nay:

Mr. Goodwyn

—1

And the bill:

S. 169. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the general funds of Houston and Henry Counties of Alabama.

Was read a third time at length and passed.

Yeas 63; Nays 1.

Yeas:

Mr. Speaker	Blanton	Burns	Daniel
Albea	Boston	Camp	Davis
Avery	Bowers	Casby	Doggett
Bailes	Branyon	Cates	Downing
Bassett	Brown (Jefferson)	Cornett	Edington
Bethea (M)	Burnham	Crawford	Edwards (Escambia)

Edwards (<i>Lowndes</i>)	Ingram	Nettles	Sessions
Engel	Jones (<i>Covington</i>)	Owens	Snell
Etheredge	Locke	Paulk	Stembridge
Gilmore	McCorquodale	Pennington	Teel
Glass	Martin	Pierce	Thomas
Hain	Meeks	Powell	Turner (<i>Crenshaw</i>)
Harper	Moore	Rast	Turnham
Heflin	Morrow	Rogers	Wood
Hogan	Nabors	Salter	Young
Holladay	NeSmith	Scurlock	

—63

Nay:

Mr. Goodwyn

—1

And the bill:

S. 170. To make an appropriation from the county treasury of Houston County for the relief of Mrs. A. R. Gissendanner.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Cates	Heflin	Pierce
Albea	Cornett	Hogan	Powell
Avery	Crawford	Holladay	Rast
Bailes	Daniel	Ingram	Rogers
Bassett	Davis	Jones (<i>Covington</i>)	Salter
Bethea (M)	Doggett	McCorquodale	Scurlock
Blanton	Downing	Martin	Sessions
Boston	Edgington	Meeks	Snell
Bowers	Edwards (<i>Escambia</i>)	Moore	Stembridge
Branyon	Edwards (<i>Lowndes</i>)	Morrow	Teel
Brown (<i>Jefferson</i>)	Engel	Nabors	Thomas
Brown (<i>Tuscaloosa</i>)	Gilmore	NeSmith	Turner (<i>Crenshaw</i>)
Burnham	Glass	Nettles	Turnham
Burns	Goodwyn	Owens	Wood
Camp	Hain	Paulk	Young
Casey	Harper	Pennington	

—63

And the bill:

H. 625. To amend Act No. 893, H. 1270, approved September 8, 1961 (Acts of Alabama, 1961, p. 1406), entitled "An Act Relating to Mobile County: To Fix the compensation of the clerk of the Circuit Court of Mobile County".

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Burnham
Albea	Bethea (M)	Branyon	Burns
Avery	Blanton	Brown (<i>Jefferson</i>)	Camp
Bailes	Boston	Brown (<i>Tuscaloosa</i>)	Casey

Cates	Glass	Martin	Rogers
Crawford	Goodwyn	Meeks	Salter
Daniel	Hain	Nabors	Scurlock
Davis	Harper	NeSmith	Snell
Doggett	Heflin	Nettles	Teel
Downing	Hogan	Owens	Thomas
Edington	Holladay	Paulk	Turner (Crenshaw)
Edwards (Escambia)	Ingram	Pennington	Turnham
Edwards (Lowndes)	Jones (Covington)	Pierce	Wood
Engel	Locke	Powell	Young
Gilmore	McCorquodale	Rast	

—59

And the bill:

H. 627. Relating to the powers of cities having populations of not less than 200,000 and not more than 300,000 according to the last or any subsequent federal decennial census; authorizing the governing bodies of such cities to adopt ordinances which protect the historic architectural character of the city, including designating historic districts, creating certain agencies to promote the preservation of such districts, which are located or are to be located in the designated historic districts, and adopting other provisions necessary to effect the purposes of this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Pennington
Albea	Cates	Heflin	Pierce
Avery	Crawford	Hogan	Powell
Bailes	Daniel	Holladay	Rast
Bassett	Davis	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Blanton	Downing	Locke	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	Martin	Snell
Branyon	Edwards (Lowndes)	Moore	Stembridge
Brown (Jefferson)	Engel	Morrow	Teel
Brown (Tuscaloosa)	Gilmore	Nabors	Turner (Crenshaw)
Burnham	Glass	NeSmith	Turnham
Camp	Goodwyn	Nettles	Wood
Campbell (Tuscaloosa)	Hain	Paulk	Young

—60

And the bill:

H. 554. (With Substitute). Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of compensation of constables serving the county court in such counties.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 1, said committee substitute being as follows:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to counties having populations of not less than 96,000 nor more than 106,000; regulating and providing for payment of expense allowances of constables serving the county court in such counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In all counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census, any constable charged by law with the duty of serving the processes of the county court shall be entitled to an allowance for expenses in the amount of \$3,600 per annum, payable in equal monthly installments from the county treasury, and in addition shall be entitled to retain for his own use the fees, commissions, percentages, and allowances which are collected as a part of the court costs for services rendered by him.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Pierce
Albea	Cates	Heflin	Powell
Avery	Crawford	Hogan	Rast
Bailes	Daniel	Holladay	Rogers
Bassett	Davis	Ingram	Salter
Bethea (M)	Doggett	Jones (Covington)	Scurlock
Blanton	Downing	Locke	Sessions
Boston	Edington	McCorquodale	Slate
Bowers	Edwards (Escambia)	Martin	Snell
Branyon	Edwards (Lowndes)	Moore	Stembridge
Brown (Jefferson)	Engel	Morrow	Teel
Brown (Tuscaloosa)	Etheredge	Nabors	Turner (Crenshaw)
Burnham	Gilmore	NeSmith	Turnham
Burns	Glass	Nettles	Wood
Camp	Goodwyn	Paulk	Young
Campbell (Tuscaloosa)	Hain	Pennington	

—63

And said bill, H. 554, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Casey	Harper	Pierce
Albea	Cates	Heflin	Powell
Avery	Crawford	Hogan	Rast
Bailes	Daniel	Holladay	Rogers
Bassett	Davis	Ingram	Salter
Bethea (M)	Doggett	Jones (Covington)	Scurlock
Blanton	Downing	Locke	Sessions
Boston	Edington	McCorquodale	Slate
Bowers	Edwards (Escambia)	Meeks	Snell
Branyon	Edwards (Lowndes)	Moore	Stembridge
Brown (Jefferson)	Engel	Morrow	Teel
Brown (Tuscaloosa)	Etheredge	Nabors	Turner (Crenshaw)
Burnham	Gilmore	NeSmith	Turnham
Burns	Glass	Nettles	Wood
Camp	Goodwyn	Paulk	Young
Campbell (Tuscaloosa)	Hain	Pennington	

—63

UNANIMOUS CONSENT GRANTED

Messrs. Nabors and Owens requested unanimous consent to add their names as co-authors of the bill, H. 554, and it was so granted.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 5:00 P.M. on July 16, 1963

H. 11

H. 263

H. 265

H.J.R. 82

H.J.R. 84

H.J.R. 85

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Thomas, the House, in accordance with S.J.R. 33 heretofore adopted, adjourned until Thursday, July 18, 1963, at ten o'clock A.M.

REGULAR SESSION

1113

TWENTY-THIRD DAY

House of Representatives
Montgomery, Alabama
Thursday, July 18, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. T. Russell Nunan, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hain	Owens
Albea	Collins	Hankins	Paulk
Avery	Cook	Hannah	Pennington
Bailes	Cooper	Harper	Perry
Baker (DeKalb)	Cornett	Hawkins	Pierce
Barnett	Crawford	Heflin	Powell
Bassett	Daniel	Hester	Rast
Bethea (B)	Davis	Hogan	Reynolds
Bethea (M)	Doggett	Holladay	Rogers
Blanton	Dominick	Ingram	Salter
Bolton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Jones (Monroe)	Sessions
Bowers	Edington	Little	Slate
Branyon	Edwards (Escambia)	Locke	Smith
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Snell
Brown (Tuscaloosa)	Engel	McDermott	Steagall
Burnham	Etheredge	Martin	Stembridge
Burns	Faulk	Mashburn	Teel
Callahan	Fields	Meade	Thomas
Camp	Fite	Meeks	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Moore	Turnham
Campbell (Tuscaloosa)	Glass	Morrow	Vacca
Cantrell	Goldthwaite	Nabors	Wood
Carr	Goodwyn	NeSmith	Young
Casey	Grouby	Nettles	

—99

A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Casey leave of absence was granted to Mr. Turner (Limestone) because of personal illness.

On motion of Mr. Callahan leave of absence was granted to Mr. Sullivan because of personal illness.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has

carefully examined the Journal of the House for the twenty-second legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 541. To raise revenue; imposing a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts; fixing the rate of the tax and providing for collection, enforcement, and distribution thereof.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 709. (With Amendment). To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 92. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day without overtime payment as herein authorized.

H. 734. To amend Section 1 of Act No. 912, Regular Session 1961, H. 1292, approved September 8, 1961, entitled "An Act To Amend Section 348 Title 51, Code of Alabama 1940, and to repeal all laws, and parts of laws, General or Special, In Conflict Herewith," which Act and this Amendment thereto relate to the imposition of a franchise tax on foreign corporations doing business in the State based on the actual amount of its capital employed in the State, defining capital, providing for a method of determining the actual amount of its capital so employed and establishing such determination as a rebuttable presumption as to the actual amount of its capital so employed, providing for exclusions and deductions from the amount of capital so determined and repealing all laws and parts of laws in conflict herewith.

H. 570. To better secure proper identification of taxpayers by requiring information to be furnished the Department of Revenue as to the Social Security account number and Federal Employer's identification number pertaining to said taxpayers.

H. 572. To amend Section 11, Act No. 289, H. 273, approved August 26, 1955, General Acts of Alabama 1955, page 661, by providing a criminal penalty for violation of this Act.

H. 620. To amend Sections 2 and 12, Act No. 289, Regular Session 1955, to provide for a change in the standard deduction allowed

individuals for income tax purposes; and to raise the maximum limit for filing of the short form.

H. 621. To amend Section 1 of Act No. 208, Regular Session 1951 (Acts 1951, p. 470) which relates to deductions to individual income taxpayers and more specifically authorizes, provides for and regulates use of an optional standard deduction in lieu of an itemization of certain specific deductions allowed by law and also the deduction of federal income taxes paid or accrued within the taxable year.

S. 242. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

H. 797. To further amend Section 2 of Act No. 100, Second Special Session 1959, so as to provide for payment of the tax on automotive vehicles, truck trailers, semi-trailers or house trailers, withdrawn from stock for use in the business of the taxpayer.

H. 753. To amend Act No. 888, H. 1113, Regular Session 1961 (Acts 1961, v. 2, p. 1397), an act providing for the establishment, maintenance, and operation of a junior college in Franklin, Marion, or Winston County, so as to authorize the board of trustees of the college to issue and sell interest bearing warrants or other like securities in anticipation of the allocation of special tax revenues.

H. 754. To provide for the administration of a scholarship fund at Northwest Alabama Junior College for certain graduates of Franklin County high schools.

H. 785. To appropriate \$300,000 annually or as much thereof as may be necessary from the Alabama Special Educational Trust Fund to the State Board of Education as a part of the Minimum Program Fund, in addition to all other appropriations in the Minimum Program Fund, for the education and training of exceptional children including the administration, maintenance, and operation, of classrooms, classes, and teachers for such classes in accordance with Act No. 67, approved June 27, 1963.

H. 610. To fix the compensation of Circuit Solicitors Payable from the State Treasury.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 673. (With Substitute). Relating to the public revenue; further

defining the terms "wholesale sale" or "sale at wholesale" used in administering the state sales and use tax statutes; repealing Section 481 of Title 51.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 804. Relating to education; authorizing the Alabama Education Authority to issue and sell additional bonds in the principal sum of \$900,000 for the purpose of constructing a library at the Alabama Agricultural and Mechanical College.

H. 731. To amend section 78, Title 13 of the Code of Alabama of 1940, as amended.

H. 732. To amend section 62, Title 13 of the Code of Alabama of 1940, as amended.

H. 733. To amend section 57, title 13 of the Code of Alabama 1940, as amended.

H. 366. To amend further Section 144 of Title 45, Code of Alabama 1940, which provides the allowance for feeding prisoners.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 406. To create the office of spiritual guidance counselor for state highway camps.

H. 618. To amend further Code of Alabama 1940, Title 7, Section 718, which relates to the rates to be charged for publication of legal notices.

H. 619. To amend Section 2 of Act No. 793, S. 117, Regular Session 1953, an act establishing the maximum rate which newspapers may charge for the publication of legal notices.

H. 622. To amend Code of Alabama 1940, Title 32, Section 12, in relation to the mileage allowance provided members of the legislature.

H. 623. Proposing a constitutional amendment relating to the mileage allowance provided members of the legislature.

The above bill was read a second time at length as required by the Constitution.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 819. To amend Sections 9 and 14 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as amended, so as to provide that a gas district organized under the provisions of said act, as amended, may issue refunding bonds (whether or not the bonds to be refunded are then subject to redemption) in principal amount not exceeding the principal amount of the bonds to be refunded plus any

premium necessary to redeem or retire any such bonds, any interest (accrued or to accrue) on such bonds to the date of redemption or retirement thereof and any expenses estimated to be incurred in connection with such refunding, so as to provide that any such refunding bonds may be issued by sale or exchange or any combination thereof, so as to authorize any such district to issue bonds for the combined purpose of so refunding any of its bonds and of acquiring, constructing, providing, improving or extending any gas system or systems and so as to specify with more particularity the purposes for which the proceeds from any such refunding bonds shall be used.

Mr. Nettles, Vice-Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 390. To provide for advance payment of dues by State-chartered member credit unions to the State organization, Alabama Credit Union League, and the amortization over a period up to and including fifteen years of the credit extended to the member credit unions in the form of advance dues certificates issued by the Alabama Credit Union League.

H. 761. Relating to marriages; outlawing common law marriage.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 534. To amend further Code of Alabama, Title 7, Section 713, in relation to newspaper publication of legal advertisements.

H. 704. Relating to Autauga County; To require the board of education to provide for and allow sick leave with pay to school bus drivers.

H. 706. Proposing an amendment to the Constitution relative to the compensation, commissions, fees, percentages and allowances of certain officers of Baldwin County.

The above bill was read a second time at length as required by the Constitution.

H. 707. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

H. 708. Relating to Baldwin County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, licenses, excises and fees, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

H. 710. To alter, rearrange, and extend the boundaries and corporate limits of the town of Centreville in Bibb County.

H. 712. To alter, rearrange and extend the boundary lines of the City of Anniston, Alabama in Calhoun County, Alabama, so as to include within the corporate limits of said city certain property therein set out and described.

H. 713. Relating to Chambers County; providing for the relief of Tommie Lee Culbertson and appropriating county funds for such purpose.

H. 714. To fix the compensation of the members of the county board of education of Chambers County.

H. 715. To alter, rearrange and extend the boundary lines and corporate limits of the town of Butler, in Choctaw County, Alabama.

H. 716. Relating to counties having not less than 17,800 nor more than 18,700 populations; providing for the payment of additional expense allowances of members of the court of county commissioners, board of revenue or like governing body of such counties.

H. 717. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Clarke County.

The above bill was read a second time at length as required by the Constitution.

H. 718. Relating to counties having populations of not less than 25,700 nor more than 25,900, regulating further the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures, and other property of such buildings.

H. 725. To provide for the appointment and compensation of additional deputies of the Sheriff of Colbert County.

H. 729. To provide for the compensation of jurors in counties having populations of not more than 10,900 according to the last or any subsequent federal decennial census.

H. 730. To change the method of compensating certain officers of Covington County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

H. 736. Relating to Cullman County; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

H. 737. To amend Section 1 of Act No. 56, H. 325, Regular Session 1943 (Local Acts 1943, p. 28), an act authorizing the levy in Cullman County of a privilege tax on persons and businesses selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county gasoline, naptha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines.

H. 740. To abolish the DeKalb County Hospital Association and Hospital Board now existing as two hospital boards, or Associations, DeKalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a DeKalb County Hospital Commission to be known as the DEKALB COUNTY HOSPITAL COMMISSION. To provide for the election of the members of said Commission to fix their term of office, and to define the powers and duties of such Commission, and to fix the compensation of the members thereof, and to provide for a referendum on the adoption of this Act, and the machinery for voting on said Act in said referendum.

H. 741. Relating to Escambia County; providing a central purchasing system for the county and county officers and departments, and for a county purchasing agent.

H. 742. To reorganize the governing body of Escambia County; abolishing the Board of Revenue and creating a Board of County Commissioners; repealing conflicting laws.

H. 743. To create an inferior court for Escambia County to replace the court created by Act No. 655, H. 1019, Regular Session 1951, abolishing the existing court and providing for a transfer of pending cases.

H. 744. To regulate further the compensation of jailers and deputies sheriff of Escambia County.

H. 755. To prescribe certain rules of procedures, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Franklin County, Alabama.

H. 756. To levy in Franklin County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

H. 757. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

H. 758. Relating to the Perry County Hospital Board; authorizing the expenditure of certain public hospital funds for training student nurses.

H. 775. Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit.

H. 773. To amend Section 2 of Act No. 52, H. 111, Second Special Session 1963, in relation to the date for holding the election on the constitutional amendment proposed by said Act.

H. 774. To provide for payment of expenses of circuit solicitors in judicial circuit in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any

succeeding federal decennial census, to be paid out of the county treasury of such counties.

H. 779. Relating to Lee County; authorizing the county to pay the expenses of the sheriff and his deputies incurred in attending approved courses in law enforcement training; given the Act limited retroactive effect.

H. 780. To amend Act No. 394, H. 828, Regular Session 1961 (Acts 1961, v. 1, p. 406) in relation to the compensation of the chief deputy and other deputies and assistants of the sheriff of Lee County.

H. 781. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners or like governing body of Lee County.

H. 788. Relating to municipalities having a mayor-council form of government; further regulating the election, compensation, powers and duties of the mayor in all cities having populations of not less than 70,000 nor more than 120,000, according to the 1960 or any subsequent federal decennial census, and repealing conflicting laws.

H. 789. To amend Act No. 395, H. 833, Regular Session 1961 (Acts 1961, v. 1, p. 407), an act providing for the election of the mayor and council in cities having populations of not less than 70,000 nor more than 120,000, in relation to the amount of the qualifying fee required of candidates for mayor or councilman.

H. 790. To amend Act No. 125, S. 29, Special Session 1961, an act providing further for the compensation of circuit court judges in counties having populations of not less than 110,000 nor more than 150,000.

H. 800. Relating to Marshall County; providing deputies and other assistants for the sheriff and fixing their compensation; repealing conflicting laws.

H. 801. Relating to Marshall County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants and the office space and equipment necessary for the conduct of their offices.

H. 802. Relating to Marshall County; abolishing the Board of Revenue and Control and creating in lieu thereof the Commission on Government and Finance of Marshall County; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members; and prescribing penalties.

H. 803. To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months; and prescribing penalties.

H. 820. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 21, 22, 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

H. 833. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947 (Local Acts 1947, p. 45), an act providing for the appointment of a deputy clerk for the circuit court of Morgan County.

H. 834. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

H. 835. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance.

H. 836. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947 (Local Acts 1947, p. 51), an act providing for the appointment of a deputy register for the circuit court of Morgan County.

H. 839. To apply only in Shelby County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

H. 840. To amend further Act No. 479, H. 1079, Regular Session 1959 (1959 Acts, p. 1198), an act establishing the Law and Equity Court for Shelby County.

H. 841. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves stocked by artificially propagated upland birds in Shelby County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties.

H. 842. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Shelby County shall have or exercise police jurisdiction within Shelby County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Shelby County or over or on any person in Shelby County or property or business or trade or profession in Shelby County; nor shall any such municipality levy, fix or collect any license or fee of any kind on or for the exercise of any business, trade or profession done in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Shelby County.

H. 843. To alter and rearrange the boundaries of the Town of Alabaster, and extend the corporate limits of the municipality, making the act effective upon approval of the qualified electors of the territory to be annexed, and providing for a referendum on the proposition.

H. 844. To alter, rearrange, and extend the boundaries of the town of Alabaster, Shelby County.

H. 846. Relating to Sumter County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment of persons convicted of night hunting in the county and providing for the disposition of the proceeds of the sale thereof.

H. 847. To alter and rearrange the boundaries of the town of Livingston, Sumter County.

H. 850. Relating to Pike County. To repeal Act No. 147 approved July 19, 1955, authorizing the Court of County Commissioners of Pike County to provide a clerk for the Deputy Solicitor for Pike County.

H. 856. Relating to counties having populations of not less than 15,300 nor more than 15,400; providing further for the conservation of game and fish; authorizing the director of conservation to appoint unsalaried deputy game and fish wardens for such counties.

H. 857. To authorize the governing body of any county having a population of not less than 15,300 nor more than 15,400 to appropriate county funds to municipal industrial development boards within or without the county.

H. 858. Relating to counties having populations of not less than 18,000 nor more than 19,000, regulating further the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures, and other property of such buildings.

S. 258. For the relief of W. O. Cobb of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate W. O. Cobb for certain damages.

S. 259. For the relief of H. E. McBride of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to appropriate county funds for such purpose.

S. 260. For the relief of Sammy White of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Sammy White for certain damages.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 764. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, to authorize and empower the Legislature by general or local laws to fix, regulate, and change the jurisdiction of any or all inferior courts established in lieu of Justices of the Peace in Jefferson County, in all civil cases so long as the amount in controversy does not exceed five hundred dollars, except in cases of libel, slander, assault and battery, and ejectment; and to ratify, validate, and confirm all acts of the Legislature, whether general or local, providing for such change in jurisdiction prior to the adoption of this amendment, and all judgments of such courts rendered pursuant to such acts.

The above bill was read a second time at length as required by the Constitution.

H. 765. To require the payment to the Sheriff of Jefferson County, Alabama, of a fee of Five Dollars (\$5.00) for each pistol permit issued by him; to provide that the Sheriff shall pay the said Five Dollars (\$5.00) to the County Treasurer; to provide that the County Treasurer shall deposit Fifty Cents (50c) of said fee in the General Fund of the County and shall pay Four Dollars and Fifty Cents (\$4.50) of said fee to the Fund of the Retirement System for County Employees of Jefferson County established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, (Acts of Alabama, 1953, pages 766, et seq.) so long as the benefits paid under said Act No. 551 are less than the benefits provided for by the schedule of specific benefits stated in said Act; to provide that when the aforesaid Four Dollars and Fifty Cents (\$4.50) of said fee is not paid the said Fund established by Act No. 551 the said Four Dollars and Fifty Cents (\$4.50) shall be paid to the Fund of the Retirement System for County Employees established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.); to provide that the collection of said fee shall not commence until Act No. 343 of the Legis-

lature of Alabama of 1953, approved August 7, 1953, (Acts of Alabama of 1953, page 404, et seq.) has been repealed; and to repeal all laws and parts of laws in conflict with this Act.

H. 766. To repeal Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953 (Acts of Alabama of 1953, page 404, et seq.), and any other Act of the Legislature establishing or providing for any supplemental Retirement Fund for Deputy Sheriffs and other persons employed by the Sheriff in Counties having a population of 400,000 or more according to the last or any future Federal Census, to provide for the liquidation and distribution of any such supplemental retirement fund, to provide for securing in said liquidation and distribution the payment of benefits due or to become due under any such Act and to provide that any surplus in such Fund shall be paid into the Fund of the Pension System of the General Employees of the County to which system the said Deputy Sheriffs and other Employees belonged prior to retirement.

H. 767. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

H. 769. To further amend Sections 3, 7 and 9 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 805. Relating to Mobile County; authorizing the Board of School Commissioners to provide insurance against loss or damage by fire, lightning, windstorm, hail, or other peril, for any or all school buildings and property, equipment, furniture or supplies belonging to such buildings or stored therein which are used or held in trust for school purposes, either in an insurance company chosen by the Board or in the State Insurance Fund.

H. 806. To amend an Act of the General Assembly of Alabama approved February 15, 1876 and entitled "An Act to regulate public schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 19, 1947, by (1) amending that portion of Section 5 of the Act restricting the expenditure of money to purchase or lease property for school purposes necessary for the proper accommodation and comfort of pupils and teachers and for the compensation and bonds of the officers, agents and employees of the Board, to twenty per centum (20%) of the income of the said Board, exclusive of the amounts derived from the State Educational Fund by eliminating the exclusion from the income of the Board, the amounts derived from the State Educational fund; and by specifically exempting from the 20% limitation sums expended for constructing, furnishing and equipping of school buildings; (2) and by amending Section 5 of said Act by including specifically in the powers of the Board of School Commissioners of Mobile County, the power to invest, in obligations of the United States of America, whether interest-bearing obligations or obligations purchased at discount, moneys in the hands of the Board accumulated from any source, whether from sale of warrants or otherwise, and held in advance of expenditure by the Board in the conduct and performance of its duties and functions.

H. 809. To further amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act: To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation out of the General Fund of Mobile County, Alabama.

H. 810. To amend and reenact an Act relating to appeals by and on behalf of counties classified according to population, to extend the applicability of the Act.

H. 811. Relating to elections; authorizing the court of county commissioners, board of revenue or like governing body of certain counties classified according to population to adopt and prescribe the number of voters to be assigned to voting machines on the basis of the type of election held and probable voter participation in such elections.

H. 813. To amend Code of Alabama 1940, Title 62, Section 114, in relation to the county and city of Mobile and the appointment of humane officers.

H. 816. To repeal Act No. 629, H. 1028, Regular Session 1947, (Acts 1947, p. 997) relating to the issuance of permits for the erection, construction, moving or abolishing of certain buildings outside the corporate limits of municipalities in counties having populations of 200,000 or more.

H. 818. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

H. 629. Relating to counties having populations of not less than 225,000 nor more than 500,000, providing civil service or merit system status for chiefs of police of all cities and towns located in such counties, repealing conflicting laws.

Mr. Engei, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 392. (With Substitute). To propose an amendment to the Constitution of Alabama authorizing the municipalities of Mobile County to incur indebtedness in amounts not to exceed ten percentum of the assessed valuation of the property therein.

The above bill was read a second time at length as required by the Constitution.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 136. To levy and impose a special license for hunting deer and wild turkeys on State operated Wildlife Management Areas; exempting persons 65 or older; providing for use of the proceeds thereof; prescribing a penalty for violation of this Act.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 795. To authorize the governing bodies of any two or more counties, or the governing bodies of any two or more municipalities within a single county, or the governing bodies of any two or more municipalities situated within different counties, or the governing bodies of any one or more counties and the governing bodies of any one or more municipalities situated in whole or in part in any one of said counties to establish regions for planning purposes and to appoint regional planning commissions.

H. 796. To authorize and empower all planning commissions, planning boards or other planning agencies within the State of Alabama, whether designated state, regional, joint, county, municipal or otherwise, to perform comprehensive planning and related activities, including transportation planning, for the respective geographical areas as to which planning power has heretofore been delegated to such commissions, boards, or other agencies by the Legislature of Alabama; to provide that, where now or hereafter authorized by the compact or otherwise, such comprehensive planning may embrace areas where rapid urbanization has occurred or is expected to occur and which said areas extend into adjoining states; to authorize said commissions, boards and other agencies, upon request, to provide planning assistance to cities, other municipalities, groups of adjacent communities and regional planning agencies; and to authorize said commissions, boards and other agencies to contract for and to accept and utilize grants and other assistance for planning from any and all agencies which now or hereafter legally may contract as to and make grants or afford other assistance for comprehensive planning.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, With Amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 485. (With Amendment). To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

H. 486. (With Amendment). To provide expense allowance to circuit court judges in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

H. 580. (With Amendment). To fix the compensation of the judge of probate of all counties having a population of not less than 160,000 nor more than 300,000 according to the last or any subsequent federal decennial census, and to regulate the payment of same, and to require the judge of probate to pay into the County Treasury of said county all costs and charges of Court, Fees and Commission authorized by law to be collected by said judge of probate as other moneys belonging to said county are paid.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 721. Relating to counties having populations of less than 13,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

H. 722. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

H. 723. To regulate further teacher tenure and status in the public schools of Clay County, granting the county boards of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Clay County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

H. 747. Relating to the sixteenth judicial circuit of Alabama; prescribing a rule of procedure for the circuit courts therein.

H. 748. Relating to counties having populations of not less than 96,000 nor more than 106,000; authorizing certain teachers in the public schools who are over age seventy to be continued in service; and prescribing conditions for their continued employment.

H. 752. To amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population.

H. 759. Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body.

H. 760. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama, and to prescribe the time when this Act shall become effective.

H. 776. To repeal an act entitled "An Act, relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 471, Regular Session 1961 (Acts 1961, Vol. 1, page 381), and act abolishing the Fine and Forfeiture Fund of the County."

H. 777. Relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 741, Regular Session 1961 (Acts 1961, Vol. 1, Page 381), an act abolishing the Fine and Forfeiture Fund of the County.

H. 848. To make it lawful for any person, or persons, to use stationary fish traps with wooden fingers or slats not less than one and one-half inches apart for the purpose of taking or catching commercial or non-game fish in that part of any river that lies within counties in Alabama having a population not less than 65,000 nor more than 95,000 according

to the last or any subsequent federal census; and to further regulate the operation of such traps.

H. 849. To create and establish in Talladega County a county court of limited jurisdiction of criminal, civil cases at law and juvenile cases, composed of two divisions, a Northern Division and a Southern Division, to be known as the "County Court of Talladega County", Northern Division and Southern Division, and abolish the Intermediate Court of Talladega County created by Act 733, H. 1077, approved September 5, 1951 (Acts of 1951, page 1281), and also the Civil and Misdemeanors Court of South Talladega County created by Act 109, S. 37, approved August 24, 1959 (Acts of 1959, page 330); providing for its officers and their term, powers, duties, compensation and method of selection; prescribing its jurisdiction; regulating its procedure and process; providing for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible in the court; providing for appeals from the court; providing for the transfer to the court of all cases pending in and judgments rendered by the Intermediate Court of Talladega County and the Civil and Misdemeanors Court of South Talladega County.

S. 120. To provide for and require reidentification of the registered electors of Jackson County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

S. 262. To extend, alter and rearrange the boundary lines and corporate limits of the Town of Gordon, Houston County, Alabama.

S. 255. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

Mr. Avery, Vice-Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 727. Further regulating the registration of voters in Alabama; prescribing qualifications for registering and voting and providing for the determination thereof; creating the state board of examiners for voter registration, and prescribing its powers and duties; providing for the appointment and removal of the members of this board and prescribing their duties, powers, terms, and compensation; providing for the appointment of an executive secretary of the board, and regulating his duties, powers, tenure and compensation; prescribing penalties; and repealing conflicting legislation.

H. 728. Proposing an amendment to Article VIII, Section 181, as amended, of the Constitution of Alabama, in relation to voter registration, requirements and questionnaires.

The above bill was read a second time at length as required by the Constitution.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. McCorquodale, Edwards (Escambia), Salter, Wood, Nettles and Daniel:

H. 861. Proposing an amendment to Article 8, Section 182 of the Constitution of Alabama 1901, so as to include among persons who shall be disqualified from registering and voting, any person who has been convicted of disorderly conduct or breach of the peace with the wilful intention to incite to riot or to overthrow the laws of this state by taking part in any sit-in or stand-in demonstration.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Casey:

H. 862. Relating to elections in counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for a recount of the vote in certain ballot boxes on order of the circuit judge of such counties.

Local Legislation No. 1.

By Messrs. Casey, Goodwyn, Albea, Burnham, Grouby and Camp:

H. 863. Relating to public school administration; providing further for selection, approval, adoption, purchase, and distribution of textbooks; repealing conflicting laws.

Education.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 864. To provide for and require the use of voting machines for registering, recording, and computing the votes at all elections hereafter held in Escambia County.

Local Legislation No. 1.

Notice and Proof H. 864:

**STATE OF ALABAMA
COUNTY OF ESCAMBIA**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide for and require the use of voting machines for registering, recording, and computing the votes at all elections hereafter held in Escambia County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue or other like governing body of Escambia County is hereby directed and required to provide for the installation and use of voting machines for registering, recording, and computing the votes at all general, special and primary elections hereafter held within the county.

Section 2. The purchase price or yearly rental of the voting machines required to be installed by this Act shall be a preferred charge against the county treasury; but any municipality affected by this Act may contribute municipal funds toward payment of the cost of installing voting machines within the municipality.

Section 3. The use of voting machines at elections in Escambia County shall be governed by the general laws regulating such use.

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

RACHEL DAVIS,
Notary Public.

Sworn to and subscribed before me June 28, 1963.

PHILIP SOKOL,
Co-Publisher.

By Mr. Edwards (Escambia) (With Notice and Proof):

H. 865. To amend Act No. 119, H. 393, Regular Session 1959 (Acts 1959, v. 1, p. 641), in relation to the qualifications of the superintendent of education of Escambia County.

Local Legislation No. 1.

Notice and Proof H. 865:

STATE OF ALABAMA COUNTY OF ESCAMBIA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Act No. 119, H. 393, Regular Session 1959 (Acts 1959, v. 1, p. 641), in relation to the qualifications of the superintendent of education of Escambia County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA.

Section 3 of Act No. 119, H. 393, Regular Session 1959 (Acts 1959, v. 1, p. 641), an act relating to the public schools of Escambia County and the office of county superintendent of education, is hereby amended to read as follows:

"Section 3. The county superintendent of education must be a qualified elector of Escambia County at the time of his election or appointment, and shall have had at least five years of educational experience, as teacher, principal, supervisor, superintendent, educational administrator, or instructor in school administration. And no person shall be eligible for election or appointment who does not hold a master's degree in school administration bestowed by a standard university or college."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ESCAMBIA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Philip Sokol, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Co-Publisher of the Atmore Advance, a newspaper of general circulation published in Escambia County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

RACHEL DAVIS,
Notary Public.

Sworn to and subscribed before me June 28, 1963.

PHILIP SOKOL,
Co-Publisher.

By Mr. Stembridge:

H. 866. Relating to counties having populations of not less than 50,000 nor more than 54,000; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Local Legislation No. 1.

By Messrs. Collins, Sessions, Vacca, Rast, Brown (Jefferson), Meeks, Etheredge, Bailes, Morrow and Perry:

H. 867. To permit the advertising of malt or brewed beverages on the outside of commercial transit company vehicles in counties having a population in excess of 600,000.

Local Legislation No. 2.

By Messrs. Vacca, Sessions, Bethea (M), Rast, Brown (Jefferson), Meeks, Etheredge, Bailes, Collins, Morrow, Bowers, Gilmore and Perry:

H. 868. To provide in all counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census, that all officers, authorities, agencies, boards, bureaus or other like entities which receive appropriations from the state, county or municipal governments shall have an annual audit.

Local Legislation No. 2.

By Mr. Rast:

H. 869. To amend Sections 10 and 14 of Act No. 576, Acts of Alabama 1959, approved November 19, 1959, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat livery; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act", as amended by Act No. 878, Acts of Alabama 1961, Regular Session, approved September 8, 1961.

Conservation.

By Messrs. Fite, Turner (Crenshaw) and Brewer:

H. 870. To regulate visiting speakers at state supported colleges and universities.

Ways and Means.

By Mr. Fite:

H. 871. To provide that an amount for additional first year depreciation on certain property equal to the amount of investment credit allowed thereon as authorized by Federal revenue acts shall be allowed

as an additional deduction in determining net income for State income tax purposes.

Ways and Means.

By Mr. Engel (With Notice and Proof):

H. 872. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Local Legislation No. 3.

Notice and Proof H. 872:

LEGAL NOTICE

State of Alabama, County of Mobile.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Be it enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance," is hereby amended to read as follows:

"Section 1. The Board of Revenue and Road Commissioners or other governing body of Mobile County, is authorized and directed to appropriate from county funds, and to make available to the sheriff of Mobile County at the beginning of each fiscal year, an allowance of seven thousand dollars (\$7,000) a year, to be used by the sheriff to purchase uniforms for the use of the deputies sheriff employed in the sheriff's department. The allowance authorized herein shall be subject to the direct supervision and control of the sheriff of Mobile County, and shall be expended at his discretion and in his best judgment as to the most advantageous purchases to the county."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

C. R. Willisson being sworn, says he is Office Manager of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register June 3, 10, 17, 24, 1963.

C. R. WILLISSON.

Sworn to and subscribed before me This 16 day of July 1963.

ROSALIE PERGANTIS,
Notary Public.

By Messrs. Slate and Brewer:

H. 873. Relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties.

Local Legislation No. 1.

By Mr. Goodwyn:

H. 874. To appropriate to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, the sum of One Hundred Fifty Thousand Dollars or so much thereof as may be necessary for the purpose of paying such sums as may be ordered by the Federal Court in settlement of equities in t' e litigation concerning the Gulf State Park properties, and further for the purchase of a motel and certain lands adjacent thereto located within Gulf State Park in Baldwin County, Alabama, and further authorize the Director of Conservation to make such purchase from the Small Business Administration, an agency of the United States Government.

Ways and Means.

By Messrs. Wood and Grouby:

H. 875. To amend Code of Alabama 1940, Title 34, Sections 27, 29, and 38, in relation to suits for divorce.

Ways and Means.

By Mr. Wood:

H. 876. To authorize the Alabama Public Service Commission to regulate further rates charged by public utilities, prohibiting certain acts by such utilities, and amending Section 36 of Title 48, Code of Alabama 1940.

Ways and Means.

By Messrs. Bailes, Etheredge, Morrow, Perry, Rast, Locke, Meeks, Brown (Jefferson), Sessions, Vacca, Gilmore, Bowers, Bethea (M), Bethea (B), Collins and Dominick:

H. 877. To make an appropriation from the state treasury to the use of the board of education of Jefferson County for constructing and equipping a senior high school at Center Point.

Ways and Means.

By Messrs. Fite and Brewer:

H. 878. Relating to the state revenue; providing exemptions from the state sales and use taxes of fuel oil used for certain purposes.

Ways and Means.

RESOLUTION

The following resolution was introduced:

By Messrs. Fite and Brewer:

H. J. R. 93. Proposing an amendment to the Constitution of Alabama.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the following amendment to the Constitution of Alabama be submitted for approval of the qualified electors:

In Article 18, Section 284, as amended by the 24th article of amendment, strike out the last sentence thereof, to-wit, "representation in the legislature shall be based upon population, and such basis of representation shall not be changed by constitutional amendments."

RESOLVED FURTHER, That an election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

RESOLVED FURTHER, That notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

H. J. R. 93 was read a first time at length as required by the Constitution.

BILLS ON THIRD READING

H. 268. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Bolton	Carr	Daniel
Albea	Branyon	Casey	Doggett
Bailes	Brown (Tuscaloosa)	Cates	Downing
Baker (DeKalb)	Burnham	Collins	Edington
Barnett	Camp	Cook	Edwards (Escambia)
Bassett	Campbell (Jackson)	Cooper	Edwards (Lowndes)
Bethea (M)	Cantrell	Cornett	Engel

Etheredge	Harper	Moore	Salter
Fields	Heflin	NeSmith	Scurlock
Fite	Hogan	Nettles	Sessions
Glass	Holladay	Paulk	Slate
Goldthwaite	Ingram	Perry	Steagall
Grouby	Jones (Covington)	Pierce	Stembridge
Hain	Jones (Monroe)	Powell	Wood
Hankins	McCorquodale	Rast	Young
Hannah	Martin	Rogers	

—63

And the bill:

H. 670. To amend further Section 8 of Act No. 872, H. 1118, Regular Session 1951 (Acts 1951, p. 1505) which act established the Board of Revenue and Control of Chilton County; providing for the nomination of each associate member by the authorized voters of the entire county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Faulk	McCorquodale
Albea	Carr	Fields	Moore
Avery	Casey	Fite	NeSmith
Bailes	Cates	Gilmore	Nettles
Baker (DeKalb)	Collins	Glass	Paulk
Barnett	Cooper	Goldthwaite	Perry
Bassett	Cornett	Hain	Pierce
Bethea (M)	Crawford	Hankins	Powell
Blanton	Daniel	Hannah	Rast
Bolton	Davis	Harper	Rogers
Bowers	Doggett	Heflin	Salter
Branyon	Downing	Hogan	Scurlock
Brown (Tuscaloosa)	Edwards (Escambia)	Ingram	Steagall
Burnham	Edwards (Lowndes)	Jones (Covington)	Thomas
Camp	Engel	Jones (Monroe)	Wood
Campbell (Jackson)	Etheredge	Locke	Young
Campbell (Tuscaloosa)			

—65

And the bill:

H. 684. Proposing a constitutional amendment relating to Marion County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Blanton	Campbell (Jackson)	Cornett
Albea	Bolton	Cantrell	Crawford
Avery	Bowers	Carr	Daniel
Baker (DeKalb)	Branyon	Casey	Davis
Barnett	Brown (Jefferson)	Cates	Doggett
Bassett	Brown (Tuscaloosa)	Collins	Downing
Bethea (M)	Callahan	Cooper	Edwards (Escambia)

Edwards (Lowndes)	Harper	Meeks	Rast
Faulk	Heflin	Moore	Salter
Fite	Hogan	Nettles	Scurlock
Gilmore	Ingram	Owens	Sessions
Glass	Jones (Covington)	Paulk	Steagall
Goldthwaite	Jones (Monroe)	Pennington	Stembridge
Hain	Locke	Perry	Thomas
Hankins	McCorquodale	Pierce	Wood
Hannah	Martin	Powell	Young

—64

And the bill:

H. 695. Relating to counties having populations of not less than 57,000 nor more than 61,000 according to the 1960 or any subsequent federal decennial census; authorizing the court of county commissioners, board of revenue or like governing body of such counties to appropriate public funds of the county for payment of certain equitable and just claims for which the county is not legally liable.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Casey	Goldthwaite	Owens
Albca	Cates	Hain	Paulk
Bailes	Collins	Hankins	Pennington
Baker (DeKalb)	Cook	Hannah	Perry
Barnett	Cooper	Harper	Pierce
Bassett	Cornett	Heflin	Powell
Bethea (M)	Crawford	Hogan	Rast
Blanton	Daniel	Ingram	Rogers
Bolton	Davis	Jones (Covington)	Salter
Bowers	Doggett	Jones (Monroe)	Scurlock
Branyon	Downing	Locke	Sessions
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Steagall
Brown (Tuscaloosa)	Edwards (Lowndes)	Martin	Stembridge
Burnham	Engel	Meeks	Thomas
Camp	Faulk	Moore	Vacca
Campbell (Jackson)	Fields	NeSmith	Wood
Campbell (Tuscaloosa)	Gilmore	Nettles	Young
Carr			

—69

And the bill:

H. 702. To amend Section 2 of Act No. 139, H. 90, First Special Session 1956, an act relating to the office of circuit solicitor of the thirty-first judicial circuit of Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bethea (M)	Branyon
Albea	Barnett	Blanton	Brown (Jefferson)
Bailes	Bassett	Bowers	Brown (Tuscaloosa)

Burnham	Downing	Heflin	Pennington
Camp	Edington	Hogan	Perry
Campbell (Jackson)	Edwards (Escambia)	Ingram	Pierce
Campbell (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Powell
Cantrell	Engel	Jones (Monroe)	Rast
Carr	Faulk	Locke	Rogers
Casey	Fields	McCorquodale	Salter
Cates	Fite	Martin	Scurlock
Collins	Gilmore	Meeks	Sessions
Cook	Glass	Moore	Snell
Cooper	Goldthwaite	Morrow	Steagall
Cornett	Grouby	NeSmith	Stembridge
Crawford	Hain	Nettles	Vacca
Daniel	Hankins	Owens	Wood
Davis	Hannah	Paulk	Young
Doggett	Harper		

—74

And the bill:

S. 241. To further amend Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of the judge of probate of Madison County, providing for an increased appropriation of county funds for the operation of such office and authorizing an additional contingent appropriation therefor.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Nettles
Albea	Collins	Hain	Owens
Bailes	Cooper	Hankins	Paulk
Baker (DeKalb)	Cornett	Hannah	Pennington
Barnett	Crawford	Harper	Perry
Bassett	Daniel	Heflin	Pierce
Bethea (B)	Davis	Hogan	Powell
Bethea (M)	Doggett	Ingram	Rast
Blanton	Downing	Jones (Covington)	Rogers
Bowers	Edwards (Escambia)	Jones (Monroe)	Salter
Branyon	Edwards (Lowndes)	Locke	Scurlock
Brown (Jefferson)	Engel	McCorquodale	Snell
Brown (Tuscaloosa)	Etheredge	Martin	Steagall
Burnham	Faulk	Moore	Stembridge
Camp	Fields	Morrow	Thomas
Campbell (Jackson)	Fite	Nabors	Vacca
Carr	Gilmore	NeSmith	Young
Casey	Goldthwaite		

—70

And the bill:

S. 123. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama:

Was read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Nettles
Albea	Cates	Glass	Owens
Bailes	Collins	Grouby	Paulk
Baker (DeKalb)	Cook	Hain	Pennington
Barnett	Cooper	Hankins	Perry
Bassett	Cornett	Hannah	Pierce
Bethea (B)	Crawford	Harper	Powell
Bethea (M)	Daniel	Heflin	Rast
Blanton	Davis	Ingram	Rogers
Bolton	Doggett	Jones (Covington)	Salter
Bowers	Downing	Jones (Monroe)	Scurlock
Brown (Jefferson)	Edington	Locke	Sessions
Brown (Tuscaloosa)	Edwards (Escambia)	McCorquodale	Steagall
Burnham	Edwards (Lowndes)	Meeks	Stembridge
Camp	Engel	Moore	Thomas
Campbell (Jackson)	Etheredge	Morrow	Vacca
Campbell (Tuscaloosa)	Faulk	Nabors	Wood
Cantrell	Fields	NeSmith	Young
Carr			

—73

And the bill:

H. 676. To apply in counties having a population of 600,000 or more according to the last or any subsequent federal decennial census; to provide further for the duties and authority of the judge of probate and the county commission or county governing body of such county; to regulate further the Probate Court and offices of the Judge of Probate in such counties; to prescribe further the manner of keeping records and recording documents, instruments and paper; to authorize and permit the use of photograph or microphotograph machines for recording documents and papers, and for preserving such on film and microfilm; to direct the discontinuance of keeping copies or prints or records in large and well-bound books, and to permit the storing or destruction of such books or records after photographing or reproducing the same on film records; to authorize and permit the discontinuance of keeping both "Minute Books" and "Final Record Books", and to provide the manner of keeping records of the Probate of wills; to provide further the manner of entering partial or full satisfaction of the record of any mortgage lien or other instrument; to authorize the judge of probate to adopt and promulgate reasonable rules and regulations controlling public access to the system of recording and preserving records; to make inapplicable insofar as said counties are concerned, the provisions of Section 280 of Title 13, Code of Alabama, 1940, as amended, and to amend and repeal all laws or parts of law inconsistent with or in conflict with this act.

Was taken up.

Mr. Rast offered the following amendment to the bill, H. 676:

AMENDMENT TO H. B. 676

Amend Section 3 by adding to the end of Section 3 the following:

"(G) Copies of the microfilm or film rolls of recorded documents or records may be sold or furnished to abstract companies, title companies, title insurance companies, or other purchasers, at a price and upon such terms and conditions as shall be fixed and approved by the County Commission or other like governing body of such county by resolution, a copy of which shall be furnished to the Judge of Probate of the County."

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And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Casey	Glass	Nettles
Albea	Cates	Grouby	Owens
Avery	Collins	Hain	Paulk
Bailes	Cook	Hankins	Pennington
Baker (DeKalb)	Cooper	Hannah	Perry
Barnett	Cornett	Harper	Pierce
Bassett	Daniel	Heflin	Powell
Bethea (M)	Davis	Hogan	Rogers
Blanton	Doggett	Ingram	Salter
Bolton	Downing	Jones (Covington)	Scurlock
Bowers	Edington	Jones (Monroe)	Sessions
Branyon	Edwards (Escambia)	McCorquodale	Snell
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Stembridge
Burnham	Faulk	Moore	Thomas
Camp	Fields	Morrow	Vacca
Campbell (Jackson)	Fite	Nabors	Wood
Cantrell	Gilmore	NeSmith	Young
Carr			

—73

And said bill, H. 676, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Glass	NeSmith
Albea	Cates	Grouby	Nettles
Avery	Collins	Hain	Owens
Bailes	Cook	Hankins	Paulk
Baker (DeKalb)	Cooper	Hannah	Pennington
Barnett	Cornett	Harper	Perry
Bassett	Crawford	Heflin	Pierce
Bethea (B)	Daniel	Hogan	Powell
Bethea (M)	Davis	Ingram	Rast
Blanton	Doggett	Jones (Covington)	Rogers
Bolton	Downing	Jones (Monroe)	Salter
Bowers	Edington	Little	Scurlock
Branyon	Edwards (Escambia)	Locke	Sessions
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Snell
Brown (Tuscaloosa)	Engel	Martin	Steagall
Burnham	Etheredge	Mashburn	Stembridge
Camp	Faulk	Meeks	Thomas
Campbell (Jackson)	Fields	Moore	Vacca
Cantrell	Fite	Morrow	Wood
Carr	Gilmore	Nabors	Young

—80

And the bill:

H. 499.(With Amendment). To permit the Governing Body of Mobile County to establish a Board of Recreation for the supervision and management of recreational programs and facilities within the County,

defining the duties and authority of such Board, and authorizing appropriations thereof and donations thereto.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Nabors
Albea	Collins	Grouby	NeSmith
Bailes	Cook	Hain	Nettles
Baker (DeKalb)	Cooper	Hankins	Owens
Barnett	Cornett	Hannah	Paulk
Bassett	Crawford	Harper	Pennington
Bethea (B)	Daniel	Heflin	Perry
Bethea (M)	Davis	Hogan	Pierce
Blanton	Doggett	Ingram	Powell
Bolton	Downing	Jones (Covington)	Rogers
Bowers	Edington	Jones (Monroe)	Salter
Branyon	Edwards (Escambia)	Little	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	Locke	Sessions
Brown (Tuscaloosa)	Engel	McCorquodale	Snell
Burnham	Etheredge	Martin	Steagall
Camp	Faulk	Mashburn	Stembridge
Campbell (Jackson)	Fields	Meeks	Vacca
Cantrell	Fite	Moore	Wood
Carr	Gilmore	Morrow	Young
Casey			

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 108 and H. 109, was adopted.

PASSAGE OF H. 108

And the bill:

H. 108. To amend further Section 2 of Title 51, Code of Alabama 1940, in relation to the amount of property of blind persons exempted from ad valorem taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 3.

Yeas:

Mr. Speaker	Bowers	Cantrell	Crawford
Albea	Branyon	Carr	Daniel
Bailes	Brown (Jefferson)	Casey	Davis
Baker (DeKalb)	Brown (Tuscaloosa)	Cates	Downing
Bassett	Burnham	Collins	Drake
Bethea (B)	Callahan	Cook	Edington
Blanton	Camp	Cooper	Edwards (Escambia)
Bolton	Campbell (Tuscaloosa)	Cornett	Edwards (Lowndes)

Engel	Harper	Moore	Rast
Faulk	Hogan	Morrow	Rogers
Fields	Ingram	Nabors	Scurlock
Fite	Jones (Covington)	NeSmith	Snell
Gilmore	Jones (Monroe)	Nettles	Steagall
Glass	Little	Owens	Stembridge
Goldthwaite	Locke	Paulk	Thomas
Goodwyn	McCorquodale	Pennington	Vacca
Grouby	McDermott	Perry	Wood
Hankins	Martin	Pierce	Young
Hannah	Meeks	Powell	

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Nays:

Messrs.	Bethea (M)	Dominick	Heflin
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—3

PASSAGE OF H. 109

And the bill:

H. 109. To amend Section 832 of Title 51, Code of Alabama 1940, in relation to the amount of exemption for blind persons from state, county, or municipal privilege licenses.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Collins	Goldthwaite	Nettles
Albea	Cook	Grouby	Owens
Baker (DeKalb)	Cooper	Hankins	Paulk
Barnett	Cornett	Hannah	Pennington
Bassett	Crawford	Harper	Perry
Bethea (B)	Daniel	Heflin	Pierce
Bethea (M)	Davis	Hogan	Powell
Blanton	Doggett	Ingram	Rast
Bolton	Downing	Jones (Covington)	Rogers
Bowers	Drake	Jones (Monroe)	Salter
Brown (Jefferson)	Edington	Little	Scurlock
Brown (Tuscaloosa)	Edwards (Escambia)	Locke	Snell
Burnham	Edwards (Lowndes)	McCorquodale	Steagall
Callahan	Engel	McDermott	Stembridge
Camp	Faulk	Martin	Thomas
Campbell (Tuscaloosa)	Fields	Meeks	Vacca
Carr	Fite	Moore	Wood
Casey	Gilmore	Nabors	Young
Cates	Glass	NeSmith	

—75

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Rogers to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 577, was adopted.

PASSAGE OF H. 577

And the bill:

H. 577. To fix the compensation of the director of the Legislative Reference Service; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 4.

Yeas:

Mr. Speaker	Cooper	Goldthwaite	NeSmith
Bailes	Cornett	Goodwyn	Nettles
Baker (DeKalb)	Crawford	Grouby	Owens
Bassett	Daniel	Hannah	Paulk
Bethea (B)	Doggett	Hogan	Pennington
Bethea (M)	Downing	Ingram	Perry
Blanton	Drake	Jones (Covington)	Rast
Bolton	Edington	Jones (Monroe)	Rogers
Bowers	Edwards (Escambia)	Little	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Sessions
Burnham	Engel	McDermott	Snell
Callahan	Etheredge	Martin	Stembridge
Campbell (Tuscaloosa)	Faulk	Mashburn	Thomas
Casey	Fields	Meeks	Vacca
Cates	Fite	Moore	Wood
Collins	Gilmore	Nabors	Young
Cook	Glass		

—66

Nays:

Messrs.	Heflin	Powell	Salter
Branyon			

—4

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Rogers to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 388, was adopted.

PASSAGE OF H. 388

And the bill:

H. 388. (With Amendment). To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 58; Nays 5.

Yeas:

Mr. Speaker	Cook	Grouby	Owens
Albea	Cornett	Hain	Paulk
Bailes	Crawford	Hannah	Pennington
Baker (DeKalb)	Daniel	Harper	Perry
Bassett	Doggett	Heflin	Pierce
Bethea (B)	Downing	Hogan	Rast
Bethea (M)	Drake	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Sessions
Bowers	Edwards (Escambia)	Locke	Snell
Brown (Jefferson)	Engel	McCorquodale	Steagall
Campbell (Tuscaloosa)	Etheredge	McDermott	Thomas
Carr	Faulk	Morrow	Vacca
Casey	Fields	NeSmith	Wood
Cates	Fite	Nettles	Young
Collins	Goldthwaite		

—58

Nays:

Messrs.	Branyon	Hankins	Powell
Bolton	Camp		

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MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Fite to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 496, was adopted.

PASSAGE OF H. 496

And the bill:

H. 496. Relating to supernumerary court reporters; amending Act No. 817, H. 298, Regular Session 1961, in relation to eligibility for such appointments, providing that an official reporter of the Alabama Public Service Commission may become a supernumerary reporter.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 2.

Yeas:

Mr. Speaker	Casey	Engel	Jones (Covington)
Avery	Cates	Etheredge	Jones (Monroe)
Bailes	Collins	Faulk	Locke
Baker (DeKalb)	Cook	Fite	McDermott
Barnett	Cooper	Gilmore	Martin
Bassett	Cornett	Glass	Mashburn
Bethea (B)	Crawford	Goldthwaite	Moore
Blanton	Daniel	Goodwyn	Nabors
Bolton	Davis	Grouby	NeSmith
Bowers	Doggett	Hain	Nettles
Brown (Jefferson)	Downing	Hannah	Owens
Brown (Tuscaloosa)	Drake	Harper	Paulk
Campbell (Jackson)	Edington	Heflin	Pennington
Campbell (Tuscaloosa)	Edwards (Escambia)	Hester	Perry
Carr	Edwards (Lowndes)	Hogan	Pierce

Powell
RastRogers
SteagallStembridge
ThomasWood
Young

—68

Nays:

Messrs.

Albea

Branyon

—2

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Rogers to reconsider the vote by which the bill, H. 388, was passed, was adopted.

RECONSIDERATION OF H. 388

And the bill:

H. 388. (With Amendment). To amend Sections 647 and 649 of Title 51, Code of Alabama 1940, as last amended by Act No. 948, 1961 Acts of Alabama, page 1523, relating to the excise tax on gasoline, so as to provide that one-half of one per cent of the state excise gasoline taxes collected in this State, with certain exceptions, shall be deposited to the Water Safety and Seafood Funds, and to provide for the expenditure of such funds deposited; and to repeal all laws or parts of laws in conflict with the provisions of this Act.

Was again taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend Section 1 of H. B. 388 by striking therefrom the whole of Section 647 (c) (2) and insert in lieu thereof the following:

“(2.) The Legislature hereby finds as a fact that of all the gasoline sold in this State not less than thirty five one hundreths of one per cent thereof is used for marine purposes to propel vessels on inland and coastal waterways of this State. The Legislature hereby declares that it is the policy of this State to use the funds derived from the sale of marine gasoline to improve boating and boating facilities, seafoods and salt water sports fishing in this State. Effective on the first day of the month following the passage and approval of this Act thirty five one hundreths of one per cent of all State imposed taxes collected on the sale of gasoline (except gasoline consumed in airplanes) shall be credited as follows: sixty per cent to the State Water Safety Fund of the Water Safety Division and forty per cent to the Seafood Fund of the Seafood Division.”

And the amendment was adopted.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker
Albea
Avery
Bailes
Baker (DeKalb)
BarnettBassett
Betha (B)
Betha (M)
Blanton
Bolton
BowersBrown (Jefferson)
Burnham
Campbell (Jackson)
Campbell (Tuscaloosa)
Carr
Casey
Cates
Collins
Cook
Cooper
Cornett
Crawford

Daniel	Goldthwaite	McDermott	Pierce
Doggett	Goodwyn	Martin	Rast
Downing	Grouby	Mashburn	Rogers
Drake	Hankins	Meeks	Salter
Edington	Hannah	Moore	Scurlock
Edwards (Escambia)	Harper	Morrow	Sessions
Edwards (Lowndes)	Heflin	Nabors	Steagall
Engel	Hester	NeSmith	Stembridge
Faulk	Hogan	Nettles	Thomas
Fields	Jones (Covington)	Owens	Vacca
Fite	Jones (Monroe)	Paulk	Wood
Gilmore	Locke	Pennington	Young
Glass	McCorquodale	Perry	

—75

Nay:

Mr. Powell

—1

And said bill, H. 388, as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 5.

Yeas:

Mr. Speaker	Casey	Goodwyn	Nettles
Albea	Cates	Grouby	Owens
Avery	Collins	Hannah	Paulk
Bailes	Cook	Harper	Pennington
Baker (DeKalb)	Cooper	Heflin	Perry
Barnett	Cornett	Hester	Pierce
Bassett	Crawford	Hogan	Rast
Bethea (B)	Daniel	Jones (Covington)	Rogers
Bethea (M)	Doggett	Jones (Monroe)	Scurlock
Blanton	Downing	Locke	Sessions
Bowers	Edington	McCorquodale	Steagall
Brown (Jefferson)	Edwards (Escambia)	McDermott	Stembridge
Brown (Tuscaloosa)	Engel	Martin	Thomas
Burnham	Faulk	Meeks	Vacca
Campbell (Jackson)	Fields	Morrow	Wood
Campbell (Tuscaloosa)	Fite	Nabors	Young
Carr	Glass	NeSmith	

—67

Nays:

Messrs.	Branyon	Hankins	Powell
Bolton	Camp		

—5

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Snell to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 128, was adopted.

PASSAGE OF H. 128

And the bill:

H. 128. To amend Section 1 of Act No. 644, S. 328, approved September 16, 1953, Acts of Alabama, Regular Session, 1953, page 903, entitled, "An Act relating to fish and game; authorizing the use of certain species of the sunfish family for bait in the streams and waters in the State of Alabama."

Was read a third time at length and passed and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Collins	Hain	Nettles
Albea	Cook	Hankins	Owens
Bailes	Cooper	Hannah	Paulk
Baker (DeKalb)	Cornett	Harper	Pennington
Barnett	Crawford	Heflin	Perry
Bassett	Daniel	Hester	Pierce
Blanton	Davis	Hogan	Powell
Bolton	Doggett	Jones (Covington)	Rast
Bowers	Downing	Jones (Monroe)	Rogers
Branyon	Drake	Little	Salter
Brown (Jefferson)	Edington	Locke	Sessions
Brown (Tuscaloosa)	Edwards (Escambia)	McCorquodale	Snell
Burnham	Engel	McDermott	Steagall
Callahan	Faulk	Mashburn	Stembridge
Campbell (Jackson)	Fields	Meeks	Thomas
Campbell (Tuscaloosa)	Gilmore	Moore	Vacca
Carr	Glass	Nabors	Wood
Casey	Goodwyn	NeSmith	Young
Cates	Grouby		

—74

Nays:

Messrs.	Avery	Fite
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—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Bailes to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 162, was adopted.

PASSAGE OF H. 162

And the bill:

H. 162. To provide for the creation of apartment ownership, and to prescribe regulations therefor.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Carr	Goldthwaite	Nettles
Albea	Casey	Goodwyn	Owens
Bailes	Cates	Grouby	Paulk
Baker (DeKalb)	Collins	Hain	Pennington
Barnett	Cooper	Hankins	Perry
Bassett	Cornett	Hannah	Powell
Bethea (B)	Crawford	Harper	Rast
Bethea (M)	Daniel	Hester	Rogers
Blanton	Downing	Hogan	Salter
Bolton	Drake	Ingram	Scurlock
Boston	Edington	Jones (Monroe)	Sessions
Bowers	Edwards (Escambia)	Locke	Snell
Branyon	Engel	McCorquodale	Steagall
Brown (Jefferson)	Etheredge	McDermott	Stembridge
Burnham	Faulk	Mashburn	Thomas
Callahan	Fields	Meeks	Wood
Campbell (Jackson)	Gilmore	Nabors	Young
Campbell (Tuscaloosa)	Glass	NeSmith	

—71

Nays:

Messrs.	Avery	Fite	Jones (Covington)
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Avery to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 615, was adopted.

PASSAGE OF H. 615

And the bill:

H. 615. To fix the pay of election officers; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Burnham	Downing	Harper
Albea	Callahan	Drake	Hogan
Avery	Camp	Edington	Ingram
Bailes	Campbell (Jackson)	Edwards (Escambia)	Jones (Covington)
Baker (DeKalb)	Campbell (Tuscaloosa)	Engel	Jones (Monroe)
Barnett	Carr	Etheredge	Locke
Bassett	Casey	Fields	McCorquodale
Bethea (B)	Cates	Fite	McDermott
Blanton	Collins	Gilmore	Martin
Bolton	Cooper	Glass	Mashburn
Boston	Crawford	Goldthwaite	Meeks
Bowers	Daniel	Grouby	Moore
Branyon	Davis	Hain	Nabors
Brown (Tuscaloosa)	Doggett	Hannah	NeSmith

Nettles	Powell	Sessions	Vacca
Owens	Rogers	Snell	Wood
Paulk	Salter	Steagall	Young
Pennington	Scurlock	Thomas	

—71

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Avery to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 41, was adopted.

PASSAGE OF H. 41

And the bill:

H. 41. To amend Act No. 688, H. 336, Regular Session 1953 (Acts 1953, v. 2, p. 940) in relation to the operation of certain trailers on the highways of the state under certain conditions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cook	Hain	Nettles
Albea	Cooper	Hankins	Owens
Bailes	Cornett	Hannah	Paulk
Baker (DeKalb)	Crawford	Harper	Pennington
Barnett	Daniel	Heflin	Perry
Bassett	Davis	Hogan	Pierce
Bethea (B)	Doggett	Ingram	Powell
Blanton	Downing	Jones (Covington)	Rast
Bolton	Drake	Jones (Monroe)	Rogers
Boston	Edwards (Escambia)	Locke	Salter
Bowers	Edwards (Lowndes)	McCorquodale	Scurlock
Branyon	Engel	McDermott	Sessions
Burnham	Faulk	Martin	Snell
Camp	Fields	Mashburn	Steagall
Campbell (Jackson)	Fite	Meeks	Stembridge
Campbell (Tuscaloosa)	Gilmore	Moore	Thomas
Carr	Glass	Morrow	Vacca
Casey	Goldthwaite	Nabors	Wood
Cates	Grouby	NeSmith	Young
Collins			

—77

UNANIMOUS CONSENT GRANTED

Messrs. Camp, Drake and Bolton requested unanimous consent to add their names as co-authors of the bill, H. 615, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Avery to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 379, was adopted.

PASSAGE OF H. 379

And the bill:

H. 379. (With Substitute). To amend Code of Alabama 1940, Title 52, Section 567, which relates to the time when title to sixteenth section lands may be acquired by adverse possession.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Judiciary, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 379

A BILL
TO BE ENTITLED
AN ACT

To amend Section 567, Title 52, Code of Alabama 1940, which relates to the time when title to sixteenth section lands may be acquired by adverse possession.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 567, Title 52, Code of Alabama 1940, be and the same is hereby amended to read as follows:

"Section 567. When a person is in possession of any sixteenth section lands under color of title, and has been in such possession for more than twenty years prior to the first day of May, 1908, and neither the state, nor any department thereof holds any note, bond, obligation or other contract of anyone for the purchase money of such land, and the director of the department of conservation, and the director of finance shall so certify, and the attorney general shall certify that proof of adverse possession, by the person now in possession, or coupled with his predecessor in possession, for twenty years prior to May first, 1908, under color of title, has been made, which proof is satisfactory to the attorney general. The governor must cause a patent to issue to said land under the seal of the state to the person entitled thereto. Provided, however, that if the attorney general is satisfied with the proof of color of title for twenty years prior to 1908 by the person now in possession or coupled with his predecessors in said color of title, the attorney general shall not require affidavits of adverse possession for the period prior to 1908, except in cases of boundary line disputes, to establish said adverse possession."

Section 2. All laws or parts of laws in conflict with the provisions of this Act are hereby expressly repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cates	Goodwyn	NeSmith
Albea	Cook	Hain	Nettles
Avery	Cooper	Hankins	Owens
Bailes	Cornett	Hannah	Pennington
Baker (DeKalb)	Crawford	Harper	Perry
Barnett	Daniel	Heflin	Powell
Bassett	Davis	Hester	Rast
Blanton	Doggett	Hogan	Rogers
Bolton	Downing	Ingram	Salter
Boston	Drake	Jones (Covington)	Scurlock
Branyon	Edwards (Escambia)	Jones (Monroe)	Sessions
Brown (Tuscaloosa)	Edwards (Lowndes)	Little	Smith
Burnham	Engel	McCorquodale	Snell
Callahan	Faulk	McDermott	Steagall
Camp	Fields	Martin	Thomas
Campbell (Jackson)	Fite	Moore	Vacca
Campbell (Tuscaloosa)	Gilmore	Morrow	Wood
Carr	Glass	Nabors	Young
Casey	Goldthwaite		

—74

And said bill, H. 379, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Casey	Goodwyn	Nettles
Albea	Cates	Grouby	Owens
Avery	Cook	Hain	Pennington
Bailes	Cooper	Hankins	Perry
Baker (DeKalb)	Cornett	Hannah	Pierce
Barnett	Crawford	Harper	Powell
Bassett	Daniel	Heflin	Rast
Blanton	Davis	Hester	Rogers
Bolton	Downing	Hogan	Scurlock
Boston	Drake	Jones (Covington)	Sessions
Branyon	Edwards (Escambia)	Jones (Monroe)	Smith
Brown (Tuscaloosa)	Edwards (Lowndes)	McCorquodale	Snell
Burnham	Faulk	Martin	Steagall
Callahan	Fields	Mashburn	Thomas
Camp	Fite	Moore	Turner (Crenshaw)
Campbell (Jackson)	Gilmore	Morrow	Vacca
Campbell (Tuscaloosa)	Glass	Nabors	Wood
Carr	Goldthwaite	NeSmith	Young

—72

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Avery to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 235, was adopted.

PASSAGE OF H. 235

And the bill:

H. 235. (With Amendment). To provide for the issuance of special motor vehicle license tags or plates to certain disabled veterans.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amendment to H. B. 235

In the caption, strike out the period after the word "veterans" and insert "; prescribing penalties for misuse of such tags or plates"

Also, in Section 2, add the following:

Whoever wrongfully obtains or secures the issuance of a motor vehicle license tag or plate under this Act, or whoever affixes such a tag or plate to a motor vehicle other than the one for which it was issued, is guilty of a misdemeanor and shall be punished as prescribed by Alabama Code Title 15, Section 327. Whoever wilfully uses a motor vehicle equipped with such a tag or plate for any unlawful or deceptive purpose is guilty of a felony and shall be imprisoned for not less than two years.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwyn	NeSmith
Albea	Cook	Grouby	Nettles
Avery	Cooper	Hain	Owens
Bailes	Crawford	Hankins	Pennington
Baker (DeKalb)	Daniel	Hannah	Perry
Barnett	Davis	Harper	Powell
Bassett	Doggett	Heflin	Rast
Bethea (B)	Downing	Hester	Rogers
Blanton	Drake	Hogan	Salter
Bolton	Edington	Jones (Covington)	Scurlock
Boston	Edwards (Escambia)	Jones (Monroe)	Smith
Branyon	Edwards (Lowndes)	Locke	Snell
Brown (Tuscaloosa)	Etheredge	McCorquodale	Steagall
Burnham	Faulk	McDermott	Stembridge
Callahan	Fields	Martin	Thomas
Camp	Fite	Mashburn	Vacca
Carr	Gilmore	Meeks	Wood
Casey	Glass	Moore	Young
Cates	Goldthwaite	Nabors	

—75

And said bill, H. 235, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Blanton	Camp	Daniel
Albea	Bolton	Carr	Davis
Avery	Boston	Casey	Doggett
Bailes	Bowers	Cates	Downing
Baker (DeKalb)	Branyon	Collins	Drake
Barnett	Brown (Tuscaloosa)	Cook	Edington
Bassett	Burnham	Cooper	Edwards (Escambia)
Bethea (B)	Callahan	Crawford	Edwards (Lowndes)

Engel	Hannah	McDermott	Powell
Etheredge	Harper	Martin	Rast
Faulk	Heflin	Mashburn	Rogers
Fields	Hester	Meeks	Scurlock
Fite	Hogan	Moore	Snell
Gilmore	Ingram	Nabors	Steagall
Glass	Jones (Covington)	NeSmith	Stembridge
Goldthwaite	Jones (Monroe)	Nettles	Thomas
Grouby	Little	Owens	Vacca
Hain	Locke	Pennington	Wood
Hankins	McCorquodale	Perry	Young

—76

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 122, was adopted.

PASSAGE OF H. 122

And the bill:

H. 122. (With Amendment). To establish the State Board of Health as the state radiation control agency for regulating, licensing and inspecting sources and uses of radioactive materials and machines and devices producing ionizing radiation; to authorize the agency to promulgate rules and regulations and prescribe registration, license, and inspection regulations to regulate such materials, machines and devices; to authorize such agency to cooperate and enter into agreement with other agencies of this State, the Federal Government, interstate and state agencies, and groups concerned with control of such materials, machines and devices; to empower the agency to accept and administer loans, grants, or other funds in furtherance of its functions and to conduct training or research relative to control of sources of ionizing radiation; to provide for the appointment of a Radiation Advisory Board to review and evaluate policies and programs relative to ionizing radiation and to advise the said agency on any matter coming before said agency; to authorize the Governor to enter into certain agreements with the Federal Government; to provide an opportunity for hearings and judicial review by persons affected by agency orders, user, or actions; to provide for enforcement of this Act; to prohibit certain acts relative to any source of ionizing radiation; to prescribe penalties for violation of this Act; to repeal conflicting laws; to provide for the effective date of this Act; and to provide an appropriation for carrying out the purposes of this Act.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H. B. 122

Amend H. B. 122 by striking therefrom subsection (a) of Section 5 and insert in lieu therefor the following:

"(a) There shall be established a Radiation Advisory Board of Health consisting of nine (9) members appointed by the Governor. The Governor shall appoint one member to the Radiation Advisory Board from a list of three nominees in each of the following fields: (1) radiology, (2) medicine, (3) radiation or health physics, and (4) applied sciences. These nominees are to be submitted to the Governor by the State Committee of Public

Health. One member of the Radiation Advisory Board shall be appointed from a list of three nominees submitted to the Governor by the Associated Industries of Alabama. One member of the Radiation Advisory Board shall be appointed from the University of Alabama from a list of three nominees having knowledge in the field of radiation submitted by the President of the University of Alabama. One member of the Radiation Advisory Board shall be appointed from Auburn University from a list of three nominees having knowledge in the field of radiation submitted by the President of Auburn University. One member of the Radiation Advisory Board shall be appointed from a list of three nominees submitted to the Governor by the Alabama Board of Chiropractic Examiners. Members of the Board shall serve for terms of six years each, except that of the first board appointed, three members shall serve for two years, three members shall serve for four years and three members shall serve for six years, as the Governor may prescribe. The members shall receive no salary for services but may be reimbursed for actual expenses incurred in connection with attendance at Board meetings or for authorized business of the board. The State Health Officer shall serve as Chairman of the Board, and the Board shall meet at his request."

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Collins	Goodwyn	NeSmith
Albea	Cook	Hain	Nettles
Avery	Cooper	Hankins	Owens
Bailes	Cornett	Hannah	Paulk
Baker (DeKalb)	Crawford	Harper	Pennington
Barnett	Daniel	Hester	Perry
Bassett	Davis	Hogan	Powell
Bethea (B)	Doggett	Ingram	Rast
Blanton	Downing	Jones (Covington)	Rogers
Bolton	Drake	Jones (Monroe)	Salter
Boston	Edington	Little	Scurlock
Bowers	Edwards (Escambia)	Locke	Sessions
Branyon	Edwards (Lowndes)	McCorquodale	Snell
Brown (Tuscaloosa)	Etheredge	McDermott	Steagall
Burnham	Faulk	Martin	Stembridge
Camp	Fields	Mashburn	Thomas
Campbell (Tuscaloosa)	Fite	Meeks	Vacca
Carr	Gilmore	Moore	Wood
Casey	Glass	Nabors	Young
Cates	Goldthwaite		

—78

And said bill, H. 122, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Barnett	Blanton	Branyon
Albea	Bassett	Bolton	Brown (Tuscaloosa)
Bailes	Bethea (B)	Boston	Burnham
Baker (DeKalb)	Bethea (M)	Bowers	Camp

Campbell (Tuscaloosa)	Edwards (Lowndes)	Ingram	Pennington
Carr	Faulk	Jones (Covington)	Perry
Casey	Fields	Jones (Monroe)	Powell
Cates	Fite	Little	Rast
Collins	Gilmore	Locke	Rogers
Cook	Glass	McCorquodale	Salter
Cooper	Goldthwaite	Martin	Scurlock
Cornett	Goodwyn	Mashburn	Sessions
Crawford	Grouby	Meeks	Snell
Daniel	Hain	Moore	Steagall
Davis	Hankins	Nabors	Stembridge
Doggett	Hannah	NeSmith	Thomas
Downing	Harper	Nettles	Vacca
Drake	Hester	Owens	Wood
Edington	Hogan	Paulk	Young
Edwards (Escambia)			

—77

MOTION TO SUSPEND RULES LOST

The motion of Mr. Thomas to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 395, was lost.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 249, was adopted.

PASSAGE OF H. 249

And the bill:

H. 249. To amend Section 12 (2) of Title 51, Code of Alabama 1940 relating to exemptions from any and all state, county and municipal taxes, licenses, fees, and charges of any nature whatsoever.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Camp	Edwards (Lowndes)	Hogan
Albea	Campbell (Tuscaloosa)	Engel	Ingram
Avery	Carr	Etheredge	Jones (Covington)
Baker (DeKalb)	Cates	Faulk	Jones (Monroe)
Barnett	Collins	Fields	Locke
Bassett	Cook	Fite	McCorquodale
Bethea (B)	Cooper	Glass	McDermott
Bethea (M)	Cornett	Goldthwaite	Mashburn
Blanton	Crawford	Goodwyn	Meade
Bolton	Daniel	Grouby	Moore
Boston	Davis	Hain	Morrow
Bowers	Doggett	Hankins	Nabors
Branyon	Downing	Hannah	NeSmith
Brown (Tuscaloosa)	Drake	Harper	Nettles
Burnham	Edington	Heflin	Owens
Callahan	Edwards (Escambia)	Hester	Paulk

Pennington	Rogers	Snell	Vacca
Perry	Salter	Steagall	Wood
Powell	Smith	Thomas	Young
Rast			

—77

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 395, was adopted.

PASSAGE OF H. 395

And the bill:

H. 395. (With Amendment). To amend schedule 105 of the Revenue Act of 1935, codified as section 569 of Title 51 of the Code of 1940, and thereby to classify photographers for privilege license tax purposes, and to establish the amount of the privilege license tax.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend H. B. 395 by striking therefrom Section 4 of said bill and inserting in lieu therefor the following:

"Section 4. This act shall become effective on October 1, 1963."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Collins	Grouby	Nabors
Avery	Cook	Hain	NeSmith
Bailes	Cooper	Hankins	Nettles
Baker (DeKalb)	Cornett	Hannah	Owens
Barnett	Crawford	Harper	Paulk
Bassett	Daniel	Heflin	Perry
Blanton	Davis	Hogan	Powell
Bolton	Downing	Ingram	Rast
Boston	Drake	Jones (Covington)	Rogers
Bowers	Edwards (Escambia)	Jones (Monroe)	Salter
Branyon	Edwards (Lowndes)	Locke	Scurlock
Brown (Jefferson)	Engel	McCorquodale	Sessions
Brown (Tuscaloosa)	Faulk	McDermott	Snell
Callahan	Fields	Martin	Steagall
Camp	Fite	Mashburn	Thomas
Campbell (Tuscaloosa)	Gilmore	Meade	Vacca
Carr	Glass	Moore	Wood
Casey	Goldthwaite	Morrow	Young
Cates	Goodwyn		

—74

And said bill, H. 395, as thus amended, was read a third time at

length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 2.

Yeas:

Mr. Speaker	Cates	Glass	Nabors
Albea	Collins	Goldthwaite	NeSmith
Avery	Cook	Goodwyn	Nettles
Baker (DeKalb)	Cooper	Grouby	Owens
Barnett	Cornett	Hain	Paulk
Bassett	Crawford	Hankins	Perry
Bethea (B)	Daniel	Hannah	Powell
Blanton	Davis	Harper	Reynolds
Bolton	Doggett	Heflin	Rogers
Boston	Downing	Hogan	Scurlock
Bowers	Drake	Ingram	Sessions
Branyon	Edington	Jones (Monroe)	Smith
Brown (Jefferson)	Edwards (Escambia)	McDermott	Snell
Brown (Tuscaloosa)	Edwards (Lowndes)	Martin	Steagall
Callahan	Engel	Mashburn	Thomas
Camp	Faulk	Meade	Vacca
Campbell (Tuscaloosa)	Fields	Moore	Wood
Carr	Fite	Morrow	Young
Casey	Gilmore		

—74

Nays:

Messrs.	Burnham	Jones (Covington)
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—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 96, was adopted.

PASSAGE OF H. 96

And the bill:

H. 96. To amend Title 51, Section 646, Code of Alabama, 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Boston	Campbell (Tuscaloosa)	Daniel
Albea	Bowers	Carr	Davis
Avery	Branyon	Casey	Doggett
Bailes	Brown (Jefferson)	Cates	Downing
Baker (DeKalb)	Brown (Tuscaloosa)	Collins	Drake
Bassett	Burnham	Cook	Edington
Bethea (B)	Callahan	Cooper	Edwards (Escambia)
Blanton	Camp	Cornett	Edwards (Lowndes)
Bolton	Campbell (Jackson)	Crawford	Engel

Faulk	Heflin	Meeks	Reynolds
Fields	Hester	Moore	Rogers
Fite	Hogan	Morrow	Salter
Gilmore	Ingram	Nabors	Scurlock
Glass	Jones (Covington)	NeSmith	Smith
Goldthwaite	Jones (Monroe)	Nettles	Snell
Goodwyn	Locke	Owens	Steagall
Grouby	McCorquodale	Paulk	Thomas
Hain	McDermott	Perry	Vacca
Hankins	Mashburn	Powell	Wood
Hannah	Meade	Rast	Young
Harper			

—81

UNANIMOUS CONSENT GRANTED

Messrs. Bolton, Camp and Crawford requested unanimous consent to add their names as co-authors of the bill, H. 96, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 294, was adopted.

PASSAGE OF H. 294

And the bill:

H. 294. Further amending Section 9 of Title 22, Code of Alabama 1940, relating to Public Health.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Nabors
Albea	Collins	Hain	Nettles
Avery	Cook	Hankins	Owens
Bailes	Cooper	Hannah	Paulk
Baker (DeKalb)	Cornett	Harper	Perry
Bassett	Crawford	Heflin	Powell
Bethea (M)	Daniel	Hester	Rast
Blanton	Davis	Hogan	Reynolds
Bolton	Doggett	Ingram	Rogers
Boston	Downing	Jones (Covington)	Salter
Bowers	Drake	Jones (Monroe)	Scurlock
Branyon	Edington	Locke	Smith
Brown (Jefferson)	Edwards (Escambia)	McCorquodale	Snell
Brown (Tuscaloosa)	Edwards (Lowndes)	McDermott	Steagall
Burnham	Engel	Martin	Stembridge
Callahan	Faulk	Mashburn	Thomas
Camp	Fields	Meade	Vacca
Campbell (Tuscaloosa)	Gilmore	Meeks	Wood
Carr	Glass	Moore	Young
Casey	Goldthwaite	Morrow	

—80

UNANIMOUS CONSENT GRANTED

Messrs. Nabors, Blanton and Bolton requested unanimous consent to add their names as co-authors of the bill, H. 294, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Pierce to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 420, was adopted.

PASSAGE OF H. 420

And the bill:

H. 420. To amend Section 501 of Title 51 of the Code of Alabama (1940) which provides for licenses for credit reporting companies.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Casey	Grouby	Nettles
Albea	Collins	Hain	Owens
Avery	Cook	Hankins	Paulk
Bailes	Cornett	Hannah	Pennington
Baker (DeKalb)	Crawford	Harper	Perry
Bassett	Daniel	Heflin	Powell
Bethea (B)	Davis	Hester	Rast
Bethea (M)	Doggett	Hogan	Reynolds
Blanton	Downing	Ingram	Rogers
Bolton	Drake	Jones (Covington)	Salter
Boston	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	McCorquodale	Sessions
Branyon	Engel	McDermott	Smith
Brown (Jefferson)	Faulk	Martin	Snell
Brown (Tuscaloosa)	Fields	Mashburn	Steagall
Burnham	Fite	Meade	Stembridge
Callahan	Gilmore	Meeks	Thomas
Camp	Glass	Moore	Vacca
Campbell (Tuscaloosa)	Goldthwaite	Morrow	Wood
Carr	Goodwyn	Nabors	Young

—80

MOTION TO RECONSIDER ADOPTED

The motion of Mr. Edington to reconsider the vote by which the bill, H. 499, was passed, was adopted.

RECONSIDERATION OF H. 499

And the bill:

H. 499. (With Amendment). To permit the Governing Body of Mobile County to establish a Board of Recreation for the supervision and management of recreational programs and facilities within the County, de-

fining the duties and authority of such Board, and authorizing appropriations therefor and donations thereto.

Was again taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said committee amendment being as follows:

Committee Amendment to H. B. 499

Section 4 thereof is hereby amended by adding the following:

“Provided, however, that the total appropriations and contributions by the Governing Body of Mobile County made under this Act shall not exceed \$10,000.00 in any fiscal year.”

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hannah	Nabors
Albea	Daniel	Harper	Nettles
Bailes	Davis	Heflin	Owens
Baker (DeKalb)	Doggett	Hester	Paulk
Bassett	Downing	Hogan	Pennington
Bethea (M)	Drake	Ingram	Perry
Blanton	Edington	Jones (Covington)	Powell
Bolton	Edwards (Escambia)	Jones (Monroe)	Rast
Boston	Edwards (Lowndes)	Little	Reynolds
Bowers	Faulk	Locke	Rogers
Brown (Jefferson)	Fields	McCorquodale	Scurlock
Brown (Tuscaloosa)	Fite	McDermott	Smith
Burnham	Gilmore	Martin	Steagall
Campbell (Tuscaloosa)	Glass	Mashburn	Stembridge
Carr	Goodwyn	Meade	Thomas
Cates	Grouby	Meeks	Vacca
Cook	Hain	Moore	Wood
Cornett	Hankins	Morrow	Young

—72

And said bill, H. 499, as thus amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Edwards (Escambia)	Heflin
Albea	Carr	Engel	Hester
Bailes	Casey	Faulk	Hogan
Baker (DeKalb)	Cates	Fields	Ingram
Bassett	Cook	Fite	Jones (Covington)
Bethea (M)	Cornett	Gilmore	Jones (Monroe)
Blanton	Crawford	Glass	Little
Bolton	Daniel	Goodwyn	Locke
Boston	Davis	Grouby	McDermott
Bowers	Doggett	Hain	Martin
Brown (Jefferson)	Downing	Hankins	Mashburn
Brown (Tuscaloosa)	Drake	Hannah	Meade
Burnham	Edington	Harper	Meeks

Moore	Paulk	Reynolds	Steagall
Morrow	Pennington	Rogers	Thomas
Nabors	Perry	Scurlock	Vacca
Nettles	Powell	Smith	Wood
Owens	Rast	Snell	Young

—72

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Brown (Jefferson) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 519, was adopted.

PASSAGE OF H. 519

And the bill:

H. 519. To amend further Section 29, Act No. 207, S. 134, Regular Session 1949, the act known as the "Alabama Coal Mine Safety Law of 1949."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Nabors
Albea	Cates	Hankins	Nettles
Avery	Collins	Hannah	Paulk
Bailes	Cook	Harper	Pennington
Baker (DeKalb)	Cooper	Heflin	Perry
Barnett	Cornett	Hester	Powell
Bassett	Crawford	Hogan	Rast
Bethea (B)	Daniel	Ingram	Reynolds
Bethea (M)	Doggett	Jones (Covington)	Rogers
Blanton	Downing	Jones (Monroe)	Salter
Bolton	Drake	Little	Scurlock
Boston	Edington	Locke	Smith
Bowers	Edwards (Escambia)	McCorquodale	Snell
Branyon	Edwards (Lowndes)	McDermott	Steagall
Brown (Jefferson)	Faulk	Martin	Stembridge
Brown (Tuscaloosa)	Fields	Mashburn	Thomas
Burnham	Fite	Meade	Vacca
Callahan	Gilmore	Meeks	Wood
Campbell (Tuscaloosa)	Glass	Moore	Young
Carr	Grouby		

—78

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cates to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 106, was adopted.

PASSAGE OF H. 106

And the bill:

H. 106. To provide for the payment of salaries of officers and em-

ployees of the State of Alabama and county health service employees every second Friday; amending Section 148, Title 41, Code of Alabama 1940.

Was taken up.

Mr. Cates offered the following substitute for the bill, H. 106:

SUBSTITUTE FOR HOUSE BILL NO. 106

A BILL TO BE ENTITLED AN ACT

To provide for the payment of salaries of officers and employees of the State of Alabama and county health service employees every second Friday; amending Section 148, Title 41, Code of Alabama 1940; providing that this act shall not apply to county boards of health in counties having a population of 600,000 or more.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 148 of Title 41, Code of Alabama 1940, is hereby amended to read as follows:

"Section 148. The salaries of all officers and employees of the State of Alabama and the salaries of employees under the merit system for county health services in counties having a population less than 600,000 inhabitants according to the last or any succeeding federal census shall be payable on the second Friday in October 1963 and every second Friday thereafter; but any unpaid salary may be paid upon expiration of the term of an officer or upon termination of employment of an employee. The annual or monthly salaries of state officers and employees shall not be increased or diminished by the provisions of this section."

Section 2. This Act shall take effect October 1, 1963.

And the substitute was adopted.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Cornett	Harper	Paulk
Albea	Daniel	Heflin	Pennington
Bailes	Davis	Hester	Perry
Baker (DeKalb)	Doggett	Hogan	Pierce
Barnett	Downing	Ingram	Powell
Bassett	Drake	Jones (Covington)	Rast
Blanton	Edwards (Escambia)	Jones (Monroe)	Reynolds
Bolton	Edwards (Lowndes)	Little	Rogers
Boston	Engel	Locke	Scurlock
Bowers	Faulk	McCorquodale	Smith
Branyon	Fite	McDermott	Snell
Brown (Jefferson)	Glass	Martin	Steagall
Brown (Tuscaloosa)	Goldthwaite	Meade	Stembridge
Campbell (Tuscaloosa)	Goodwyn	Meeks	Thomas
Casey	Grouby	Moore	Vacca
Cates	Hain	Morrow	Wood
Collins	Hankins	Nabors	Young
Cooper	Hannah	Nettles	

Nay:

Mr. Cook

—1

And said bill, H. 106, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Nettles
Albea	Collins	Hannah	Paulk
Bailes	Cooper	Harper	Pennington
Baker (DeKalb)	Cornett	Heflin	Perry
Barnett	Daniel	Hester	Powell
Bassett	Davis	Hogan	Rast
Bethea (M)	Doggett	Ingram	Reynolds
Blanton	Downing	Jones (Covington)	Rogers
Bolton	Drake	Little	Salter
Boston	Edington	Locke	Scurlock
Branyon	Edwards (Escambia)	McCorquodale	Smith
Brown (Jefferson)	Engel	McDermott	Snell
Brown (Tuscaloosa)	Faulk	Martin	Steagall
Burnham	Fite	Meade	Stembridge
Callahan	Glass	Meeks	Thomas
Camp	Goldthwaite	Moore	Vacca
Campbell (Tuscaloosa)	Grouby	Morrow	Wood
Casey	Hain	Nabors	Young

—72

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Cates to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 147, was adopted.

PASSAGE OF S. 147

And the bill:

S. 147. Relating to the office of solicitor of the Eighteenth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

Was read a third time at length and passed.

Yeas 71; Nays 4.

Yeas:

Mr. Speaker	Boston	Cornett	Gilmore
Albea	Bowers	Crawford	Glass
Avery	Brown (Jefferson)	Daniel	Goldthwaite
Bailes	Brown (Tuscaloosa)	Davis	Goodwyn
Baker (DeKalb)	Burnham	Downing	Grouby
Barnett	Callahan	Drake	Hain
Bassett	Camp	Edington	Hankins
Bethea (B)	Carr	Edwards (Escambia)	Hannah
Bethea (M)	Casey	Etheredge	Harper
Blanton	Cates	Faulk	Heflin
Bolton	Collins	Fite	Hester

Hogan	Meeks	Powell	Steagall
Ingram	Moore	Rast	Stembridge
Jones (Covington)	Morrow	Reynolds	Thomas
Locke	Nabors	Rogers	Vacca
McCorquodale	Owens	Scurlock	Wood
McDermott	Paulk	Smith	Young
Meade	Perry	Snell	

—71

Nays:

Messrs.	Jones (Monroe)	Mashburn	Salter
Campbell (Tuscaloosa)			

—4

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. McCorquodale to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 131, was adopted.

PASSAGE OF H. 131

And the bill:

H. 131. To clarify and codify the common law with respect to the duty of care owed by landowners towards persons who may be upon their premises for hunting, fishing, sporting or recreational purposes and not for purposes connected with the landowner's business.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 1.

Yeas:

Mr. Speaker	Daniel	Hannah	Nettles
Avery	Davis	Harper	Owens
Bailes	Doggett	Heflin	Paulk
Baker (DeKalb)	Downing	Hester	Perry
Barnett	Drake	Hogan	Powell
Bassett	Edington	Ingram	Rast
Bethea (M)	Edwards (Escambia)	Jones (Covington)	Reynolds
Boston	Edwards (Lowndes)	Jones (Monroe)	Rogers
Bowers	Engel	Little	Salter
Branyon	Faulk	Locke	Scurlock
Brown (Tuscaloosa)	Fite	McCorquodale	Snell
Camp	Gilmore	McDermott	Steagall
Carr	Glass	Martin	Stembridge
Casey	Goldthwaite	Mashburn	Thomas
Cates	Goodwyn	Meeks	Vacca
Collins	Grouby	Moore	Wood
Cornett	Hain	Morrow	Young
Crawford	Hankins	Nabors	

—71

Nay:

Mr. Campbell (Tuscaloosa)

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 191 and H. 264, was adopted.

PASSAGE OF H. 191

And the bill:

H. 191. To amend Code of Alabama 1940, Title 55, Section 186, prescribing fees to be charged by the secretary of state for the performance of certain services.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 64; Nays 5.

Yeas:

Mr. Speaker	Daniel	Grouby	Nettles
Bailes	Davis	Hain	Owens
Barnett	Doggett	Hannah	Paulk
Bassett	Downing	Harper	Perry
Boston	Drake	Heflin	Pierce
Bowers	Edington	Hester	Powell
Brown (Tuscaloosa)	Edwards (Escambia)	Hogan	Rast
Burnham	Edwards (Lowndes)	Ingram	Reynolds
Callahan	Engel	Jones (Monroe)	Rogers
Camp	Etheredge	Little	Scurlock
Casey	Faulk	Locke	Snell
Cates	Fite	McDermott	Steagall
Collins	Gilmore	Meeks	Stembridge
Cook	Glass	Moore	Thomas
Cornett	Goldthwaite	Morrow	Vacca
Crawford	Goodwyn	Nabors	Wood

—64

Nays:

Messrs.	Baker (DeKalb)	Jones (Covington)	Salter
Albea	Branyon		

—5

PASSAGE OF H. 264

And the bill:

H. 264. To amend Section 13, of Act No. 320, Regular Session 1949 regulating the use of trust receipts; providing fees to be charged by the Secretary of State for certain services in connection with filing trust receipt documents.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Crawford	Hain	Paulk
Avery	Daniel	Harper	Perry
Bailes	Davis	Heflin	Pierce
Baker (DeKalb)	Doggett	Hester	Powell
Barnett	Downing	Hogan	Rast
Bassett	Drake	Jones (Monroe)	Reynolds
Bethea (B)	Edington	Little	Rogers
Bolton	Edwards (Escambia)	Locke	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Smith
Brown (Tuscaloosa)	Etheredge	Mashburn	Snell
Burnham	Faulk	Meade	Steagall
Camp	Fite	Meeks	Stembridge
Casey	Gilmore	Moore	Thomas
Cates	Glass	Morrow	Vacca
Collins	Goldthwaite	Nabors	Wood
Cook	Goodwyn	Nettles	Young
Cornett	Grouby	Owens	

—71

Nays:

Messrs.	Albea	Branyon	Jones (Covington)
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 581, was adopted.

PASSAGE OF H. 581

And the bill:

H. 581. To provide Supernumerary Circuit Solicitors of the State; to provide the conditions under which a Solicitor of the Circuit Court may become a Supernumerary Circuit Solicitor; to prescribe the qualifications, tenure in office, duties, powers, authority, compensation and the method of removal from office of such Supernumerary Circuit Solicitor and to appropriate funds for the payment of such compensation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 9.

Yeas:

Mr. Speaker	Bowers	Edwards (Escambia)	Hogan
Bailes	Brown (Tuscaloosa)	Edwards (Lowndes)	Locke
Baker (DeKalb)	Burnham	Engel	McDermott
Barnett	Casey	Faulk	Mashburn
Bassett	Collins	Fite	Meade
Bethea (B)	Cornett	Gilmore	Meeks
Bethea (M)	Daniel	Glass	Moore
Blanton	Downing	Hannah	Morrow
Bolton	Drake	Harper	Nabors
Boston	Edington	Hester	Nettles

Owens
Paulk
Perry
Pierce

Rast
Reynolds
Rogers
Smith

Steagall
Stembridge
Thomas

Vacca
Wood
Young

—54

Nays:

Messrs.
Avery
Branyon

Campbell (Tuscaloosa)
Carr
Crawford

Hankins
Jones (Covington)

Powell
Salter

—9

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Goodwyn to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 91, was adopted.

PASSAGE OF H. 91.

And the bill:

H. 91. (With Amendment). To create the State Employee's Insurance Board and authorize such Board to provide a health insurance plan for employees of the State of Alabama; to define the terms used in this Act; to provide for the contents of such health insurance plan and to define eligibility requirements for participation in such plan; to authorize the Board to execute contracts to provide benefits under such plan; to authorize the inclusion of retiring state employees and the dependents of state employees and retiring state employees in such plan; to provide for the payment of benefits under such plan; to provide for the State Employee's Insurance Fund and for contributions thereto; to provide for the financing of the health insurance plan; to authorize the Board to adopt and promulgate rules and regulations for the administration of such plan; to provide an effective date of this Act and repeal all laws in conflict therewith.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amendment to H. B. 91.

Strike out the last two sentences of the first paragraph of Section 6 and add in lieu thereof the following:

"The contract executed by the Board with the selected carrier shall be an exclusive contract to cover all employees of the State subject to the provisions of this Act and no other group health insurance plan for state employees in which the state participates in the payment of premium shall thereafter be conducted on a payroll deduction basis, but the Board may, if it deems that a sufficient number of employees of the State desire more health insurance coverage than is provided by the primary contract, enter into a separate contract with the carrier with whom the primary contract is executed or with another carrier to provide such additional coverage without cost to the State of Alabama, and the same may be conducted on a payroll deduction basis with the employees who elect to take such additional coverage paying the entire premium therefor. The State Comptroller through the facilities of his office shall effect the billings, deduc-

tions and other measures necessary to the collection of premium due under the plan or plans adopted."

At the end of the first sentence of Section 10 strike out the period, add a comma in lieu thereof and add the following:

"Provided, however, that coverage additional to that provided by the primary contract shall be at the sole expense of the employee"

At the end of sub-section (1) Section 10 strike out the period, add a comma in lieu thereof and add the following:

"Provided, however, that deductions from the salary of an employee for payment of premium for coverage additional to that provided by the primary contract shall not be used in calculating the said appropriation."

At the end of sub-section (2) Section 10, strike out the period, add a comma in lieu thereof and add the following:

"Provided, however, that the premium for coverage additional to that provided by the primary contract shall be paid in full by the employee and the entire cost thereof shall be withheld from the salary payment of such employee."

At the end of Section 13 strike out the period, add a comma in lieu thereof and add the following:

"Provided, however, that the coverage allowed herein in addition to that provided by the primary contract shall always be at the option of the employee whether in the employ of the State at the time of the execution of the primary contract or not."

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Collins	Hain	Morrow
Albea	Cook	Hankins	Nabors
Avery	Cornett	Hannah	Nettles
Bailes	Crawford	Harper	Owens
Barnett	Daniel	Heflin	Paulk
Bassett	Davis	Hester	Perry
Bethea (B)	Doggett	Hogan	Pierce
Blanton	Downing	Ingram	Powell
Bolton	Edington	Jones (Covington)	Rast
Boston	Edwards (Escambia)	Jones (Monroe)	Rogers
Bowers	Edwards (Lowndes)	Little	Salter
Branyon	Engel	Locke	Sessions
Brown (Tuscaloosa)	Faulk	McCorquodale	Smith
Burnham	Fite	McDermott	Stegall
Camp	Gilmore	Martin	Stembridge
Campbell (Tuscaloosa)	Glass	Mashburn	Thomas
Carr	Goldthwaite	Meade	Vacca
Casey	Goodwyn	Meeks	Wood
Cates	Grouby	Moore	

—75

Mr. Collins offered the following amendment to the bill, H. 91, as amended:

Amendment to H. B. 91.

In the caption strike out the words "health insurance" wherever such words appear together therein and insert the words "group insurance".

Also, in Section 3, on line 2, strike out the word "health" and insert "group"; and on line 6, strike out "hospitalization, surgical and medical".

Also, in Section 4, on line 1, strike out "health" and insert "group".

Also, in Section 5, on line 1, strike out "health" and insert "group".

Also, in Section 6, on line 2, strike out "health" and insert "group"; and on lines 13 and 17, strike out the word "health".

Also, in Section 7, on line 1, strike out the word "health" and insert "group".

Also, in Section 10, add the following at the end of the first paragraph: Insurance premium taxes levied or imposed by the state shall not be payable in respect of the premium cost of such group insurance plan.

Also, in Section 13, on line 3, strike out the word "health"; and in the second paragraph thereof, strike out the words "group health insurance" wherever such words appear herein and insert "group insurance".

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Collins	Hain	Nettles
Albea	Cornett	Hankins	Owens
Avery	Crawford	Hannah	Paulk
Bailes	Daniel	Harper	Perry
Barnett	Davis	Heflin	Pierce
Bassett	Doggett	Hogan	Powell
Bethea (B)	Downing	Ingram	Rast
Blanton	Drake	Jones (Covington)	Rogers
Boston	Edington	Jones (Monroe)	Salter
Bowers	Edwards (Escambia)	Little	Scurlock
Branyon	Edwards (Lowndes)	Locke	Sessions
Brown (Tuscaloosa)	Engel	McCorquodale	Smith
Burnham	Faulk	McDermott	Snell
Callahan	Fite	Mashburn	Steagall
Camp	Gilmore	Meade	Stembridge
Campbell (Tuscaloosa)	Glass	Meeks	Thomas
Carr	Goldthwaite	Moore	Vacca
Casey	Goodwyn	Morrow	Wood
Cates	Grouby	Nabors	

—75

And said bill, H. 91, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Baker (Bakke)	Blanton	Branyon
Albea	Barnett	Bolton	Brown (Tuscaloosa)
Avery	Bassett	Boston	Burnham
Bailes	Bethea (B)	Bowers	Callahan

Camp	Engel	Jones (Monroe)	Pierce
Campbell (Tuscaloosa)	Faulk	Little	Powell
Casey	Fite	Locke	Rast
Cates	Gilmore	McCorquodale	Rogers
Collins	Glass	McDermott	Salter
Cook	Goldthwaite	Martin	Scurlock
Cornett	Goodwyn	Mashburn	Sessions
Crawford	Grouby	Meeks	Smith
Daniel	Hain	Moore	Snell
Davis	Hankins	Morrow	Steagall
Doggett	Hannah	Nabors	Stembridge
Downing	Harper	NeSmith	Thomas
Drake	Heflin	Nettles	Vacca
Edington	Hogan	Owens	Wood
Edwards (Escambia)	Ingram	Paulk	Young
Edwards (Lowndes)	Jones (Covington)	Perry	

—79

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 574 and H. 575, was adopted.

PASSAGE OF H. 574

And the bill:

H. 574. (With Amendments). To amend Section 787, Title 51, Code of Alabama, 1940, as amended, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or re-conditioning tangible personal property for sale.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Ways and Means, said committee amendments being as follows:

Ways and Means Committee Amendment No. 1 to H. 574.

In Section 1, paragraph (d), 4th sentence, strike out the words and figures "; but such terms do not include a sale of re-usable containers which in the usual and ordinary course and manner of doing business are repurchased or otherwise recovered for re-use".

And the amendment was adopted.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cates	Engel
Avery	Boston	Cornett	Etheredge
Bailes	Bowers	Crawford	Faulk
Baker (DeKalb)	Brown (Jefferson)	Daniel	Fite
Barnett	Brown (Tuscaloosa)	Davis	Gilmore
Bassett	Burnham	Downing	Glass
Bethea (B)	Camp	Drake	Goldthwaite
Bethea (M)	Campbell (Tuscaloosa)	Edwards (Escambia)	Grouby
Blanton	Casey	Edwards (Lowndes)	Hain

Hannah	McDermott	Owens	Sessions
Harper	Martin	Paulk	Smith
Heflin	Mashburn	Perry	Stembridge
Hogan	Meade	Powell	Thomas
Holladay	Moore	Rast	Vacca
Ingram	Morrow	Rogers	Wood
Locke	Nabors	Scurlock	Young
McCorquodale	Nettles		

—66

And:

Ways and Means Committee Amendment No. 2 to H. 574.

Amend House Bill No. 574 by adding the following two sentences at the end of sub-section (d) of Section 787 appearing in Section 1 of said bill wherein the term "wholesale sale" or "sale at wholesale" is defined:

"It is further provided that the terms "wholesale sale" or "sale at wholesale" shall include the sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks, and shall further include containers sold for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for re-use. Such terms shall also include the sale or sales of bagging and ties used in preparing cotton for market."

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hannah	Nettles
Avery	Daniel	Harper	Owens
Bailes	Davis	Heflin	Paulk
Baker (DeKalb)	Doggett	Hogan	Perry
Barnett	Downing	Holladay	Pierce
Bassett	Drake	Ingram	Powell
Bethea (M)	Edwards (Escambia)	Jones (Covington)	Rast
Blanton	Edwards (Lowndes)	Little	Rogers
Bolton	Engel	Locke	Scurlock
Boston	Etheredge	McCorquodale	Sessions
Bowers	Faulk	McDermott	Smith
Brown (Jefferson)	Fite	Martin	Snell
Brown (Tuscaloosa)	Gilmore	Mashburn	Stembridge
Burnham	Glenn	Meade	Thomas
Camp	Goldthwaite	Moore	Vacca
Casey	Goodwyn	Morrow	Wood
Cates	Grouby	Nabors	Young
Cornett	Hain		

—70

And said bill, H. 574, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Bailes	Barnett	Bethea (M)
Avery	Baker (DeKalb)	Bassett	Blanton

Bolton	Drake	Holladay	Perry
Boston	Edwards (Escambia)	Ingram	Pierce
Bowers	Edwards (Lowndes)	Jones (Covington)	Powell
Brown (Jefferson)	Engel	Little	Rast
Brown (Tuscaloosa)	Etheredge	Locke	Reynolds
Burnham	Faulk	McCorquodale	Rogers
Callahan	Fields	McDermott	Salter
Camp	Fite	Martin	Scurlock
Campbell (Tuscaloosa)	Gilmore	Mashburn	Sessions
Casey	Glass	Meade	Smith
Cates	Goldthwaite	Moore	Snell
Cornett	Hain	Morrow	Stembridge
Crawford	Hannah	Nabors	Thomas
Daniel	Harper	Nettles	Vacca
Davis	Heflin	Owens	Wood
Doggett	Hogan	Paulk	Young
Downing			

—73

PASSAGE OF H. 575

And the bill:

H. 575. (With Amendments). To amend Section 1, Act No. 100, Second Special Session, 1959, so as to further define the term "sale at wholesale" to include therein parts or materials used in repairing or reconditioning tangible personal property for sale.

Was taken up.

The question was upon the adoption of the amendments reported by the Standing Committee on Ways and Means, said committee amendments being as follows:

Ways and Means Committee Amendment No. 1 to H. 575.

On page 2, paragraph (i), 4th sentence, strike out the words and figures "; but such terms do not include a sale of re-usable containers which in the usual and ordinary course and manner of doing business are repurchased or otherwise recovered for re-use"

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cates	Goldthwaite	Martin
Bailes	Crawford	Goodwyn	Mashburn
Baker (DeKalb)	Daniel	Grouby	Meade
Barnett	Davis	Hain	Moore
Bassett	Doggett	Hannah	Morrow
Bethea (M)	Downing	Harper	Nabors
Bolton	Drake	Heflin	Nettles
Boston	Edwards (Escambia)	Hogan	Owens
Bowers	Edwards (Lowndes)	Holladay	Paulk
Brown (Jefferson)	Engel	Ingram	Perry
Brown (Tuscaloosa)	Etheredge	Jones (Covington)	Pierce
Burnham	Faulk	Little	Powell
Camp	Fite	Locke	Rast
Campbell (Tuscaloosa)	Gilmore	McCorquodale	Reynolds
Casey	Glass	McDermott	Rogers

Salter
Scurlock
Sessions

Smith
Snell
Stembridge

Teel
Thomas
Vacca

Wood
Young

—71

And:

Ways and Means Committee Amendment No. 2 to H. 575

Amend House Bill No. 575 by adding the following two sentences at the end of sub-section (i) of Section 1 of said bill wherein the term "wholesale sale" or "sale at wholesale" is defined:

"It is further provided that the terms "wholesale sale" or "sale at wholesale" shall include the sale of containers to persons engaged in selling or otherwise supplying or furnishing baby chicks to growers thereof where such containers are used for the delivery of such chicks, and shall further include containers sold for use in the delivery of eggs by the producer thereof to the distributor or packer of such eggs even though such containers used for delivery of baby chicks or eggs may be recovered for re-use. Such terms shall also include the sale or sales of bagging and ties used in preparing cotton for market."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Owens
Albea	Cook	Harper	Paulk
Avery	Cornett	Heflin	Perry
Bailes	Daniel	Hogan	Pierce
Baker (DeKalb)	Davis	Holladay	Powell
Barnett	Doggett	Ingram	Rast
Bassett	Downing	Jones (Covington)	Reynolds
Bethea (M)	Drake	Little	Rogers
Blanton	Edwards (Escambia)	Locke	Salter
Bolton	Edwards (Lowndes)	McCorquodale	Scurlock
Boston	Engel	McDermott	Sessions
Bowers	Etheredge	Martin	Smith
Brown (Jefferson)	Faulk	Mashburn	Snell
Brown (Tuscaloosa)	Fields	Meade	Stembridge
Burnham	Fite	Moore	Thomas
Callahan	Gilmore	Morrow	Vacca
Camp	Glass	Nabors	Wood
Campbell (Tuscaloosa)	Goldthwaite	Nettles	Young
Casey	Hain		

—74

And said bill, H. 575, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Barnett	Boston	Callahan
Albea	Bassett	Bowers	Camp
Avery	Bethea (M)	Brown (Jefferson)	Campbell (Tuscaloosa)
Bailes	Blanton	Brown (Tuscaloosa)	Casey
Baker (DeKalb)	Bolton	Burnham	Cates

Cornett	Glass	Martin	Reynolds
Daniel	Goldthwaite	Mashburn	Rogers
Davis	Hain	Meade	Salter
Downing	Hannah	Moore	Scurlock
Drake	Harper	Morrow	Sessions
Edwards (Escambia)	Heflin	Nabors	Smith
Edwards (Lowndes)	Hogan	Nettles	Snell
Engel	Holladay	Owens	Stembridge
Etheredge	Ingram	Paulk	Thomas
Faulk	Jones (Covington)	Perry	Vacca
Fields	Little	Pierce	Wood
Fite	McCorquodale	Powell	Young
Gilmore	McDermott	Rast	

—71

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Brown (Tuscaloosa) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 203, was adopted.

PASSAGE OF H. 203

And the bill:

H. 203. (With Substitute). Relating to highways; providing for safety stripes along the center of state, interstate and county highways.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Government, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 203

A BILL
TO BE ENTITLED
AN ACT

Relating to highways; providing for safety stripes along the center of state, interstate and county highways.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The state highway department shall as soon as practicable cause to be painted and thereafter maintained safety stripes along the center of all state and interstate highways, along the edges of said highways, as well as such barrier lines and other markings as shall be deemed necessary or desirable by the state highway department. All such state highway striping and marking shall be done in such a manner and with such materials as shall be prescribed by the state highway department. Said striping and marking on said state and interstate highways shall be inspected by the state highway department at least semi-annually, and said state highway department shall cause to be renewed any such striping or highway marking as shall have become worn or otherwise unserviceable.

Section 2. It shall likewise be the duty of the court of county commissioners, board of revenue, or other like county governing body of every

county to cause to be painted, in accordance with state highway department specifications, on all county roads and highways hereafter constructed or reconstructed, a safety center line or stripe, and the expense of such work shall be incorporated in the construction contract and the expense of same shall be included in the construction contract. On all existing county roads and highways which were constructed by the state and county jointly or with funds furnished by both the state and the county, the county governing body may provide for safety striping as aforesaid and if it does so the cost thereof shall be borne equally by the county and state.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Callahan	Hannah	Paulk
Albea	Campbell (Tuscaloosa)	Harper	Pennington
Avery	Carr	Heflin	Perry
Bailes	Casey	Hogan	Powell
Baker (DeKalb)	Cates	Holladay	Reynolds
Barnett	Doggett	Ingram	Rogers
Bassett	Downing	Jones (Covington)	Salter
Bethea (B)	Edwards (Escambia)	McCorquodale	Scurlock
Bethea (M)	Edwards (Lowndes)	McDermott	Smith
Blanton	Engel	Martin	Snell
Bolton	Fields	Mashburn	Steagall
Boston	Fite	Meade	Stembridge
Bowers	Gilmore	Moore	Thomas
Brown (Jefferson)	Glass	Nabors	Vacca
Brown (Tuscaloosa)	Goldthwaite	Nettles	Wood
Burnham	Hain	Owens	Young

—64

And said bill, H. 203, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker	Casey	Hogan	Pennington
Albea	Cates	Holladay	Perry
Avery	Cook	Ingram	Pierce
Bailes	Crawford	Jones (Covington)	Powell
Baker (DeKalb)	Daniel	McCorquodale	Reynolds
Barnett	Doggett	McDermott	Rogers
Bassett	Downing	Martin	Salter
Bethea (B)	Drake	Mashburn	Scurlock
Bethea (M)	Edwards (Escambia)	Meade	Smith
Blanton	Engel	Meeks	Snell
Boston	Fite	Moore	Steagall
Bowers	Gilmore	Nabors	Stembridge
Brown (Tuscaloosa)	Glass	NeSmith	Thomas
Burnham	Goldthwaite	Nettles	Vacca
Callahan	Hannah	Owens	Wood
Campbell (Tuscaloosa)	Harper	Paulk	Young
Carr	Heflin		

—66

Nay:

Mr. Bolton

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Drake to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 139, was adopted.

PASSAGE OF H. 139

And the bill:

H. 139. (With Amendment). To provide for the eradication, control and prevention of the spread of diseases of poultry by requiring commercial poultry producers and commercial poultry hatcheries to be equipped with facilities for the destruction and disposal of dead poultry, unhatched or unused eggs and other poultry waste, and to authorize the State Board of Agriculture and Industries to adopt rules, regulations and requirements to carry out the requirements of this Act; to provide a penalty for violations of this Act and to make it unlawful to supply or furnish poultry producers with baby chicks in violation of this Act.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Agriculture, said committee amendment being as follows:

Amend Section 2 of H. B. 139 by striking out the words "for human consumption," where said words appear in said section and place a comma following the word "purposes".

And the amendment was adopted.

Yeas 60; Nays 2.

Yeas:

Mr. Speaker	Cates	Harper	Owens
Albea	Cornett	Heflin	Paulk
Bailes	Crawford	Hogan	Pennington
Baker (DeKalb)	Daniel	Holladay	Perry
Barnett	Davis	Ingram	Powell
Bassett	Downing	Jones (Covington)	Reynolds
Blanton	Drake	Locke	Rogers
Bolton	Edwards (Escambia)	McDermott	Salter
Boston	Edwards (Lowndes)	Martin	Smith
Bowers	Engel	Mashburn	Snell
Brown (Tuscaloosa)	Faulk	Meade	Steagall
Burnham	Gilmore	Moore	Stembridge
Callahan	Glass	Nabors	Vacca
Campbell (Tuscaloosa)	Hain	NeSmith	Wood
Casey	Hannah	Nettles	Young

—60

Nays:

Messrs.	Avery	Fite
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—2

Mr. Scurlock offered the following amendment to the bill, H. 139, as amended:

Amendment to H. B. 139:

Strike out Sections 4 and 5 of the bill and re-number the remaining sections in their proper numerical sequence.

And the amendment was adopted.

Yeas 55; Nays 5.

Yeas:

Mr. Speaker	Cornett	Harper	Pennington
Albea	Crawford	Hogan	Perry
Bailes	Daniel	Ingram	Powell
Baker (DeKalb)	Davis	Little	Reynolds
Barnett	Downing	Locke	Salter
Bassett	Drake	McCorquodale	Scurlock
Blanton	Edwards (Escambia)	McDermott	Smith
Bolton	Edwards (Lowndes)	Martin	Snell
Boston	Engel	Meeks	Steagall
Bowers	Faulk	Moore	Stembridge
Brown (Tuscaloosa)	Fields	Nabors	Vacca
Camp	Gilmore	Nettles	Wood
Campbell (Tuscaloosa)	Glass	Owens	Young
Casey	Hannah	Paulk	

—55

Nays:

Messrs.	Fite	Mashburn	Meade
Burnham	Jones (Covington)		

—5

And said bill, H. 139, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 44; Nays 15.

Yeas:

Messrs.	Downing	Ingram	Pennington
Baker (DeKalb)	Drake	Locke	Powell
Bassett	Edwards (Escambia)	McDermott	Reynolds
Blanton	Edwards (Lowndes)	Martin	Salter
Bolton	Engel	Meeks	Sessions
Bowers	Faulk	Moore	Smith
Campbell (Tuscaloosa)	Gilmore	Nabors	Snell
Cook	Glass	NeSmith	Steagall
Cooper	Hannah	Nettles	Stembridge
Cornett	Harper	Owens	Vacca
Crawford	Hogan	Paulk	Wood
Daniel			

—44

Nays:

Mr. Speaker	Burnham	Jones (Covington)	Meade
Albea	Camp	Little	Scurlock
Bailes	Fite	McCorquodale	Young
Barnett	Heflin	Mashburn	

—15

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Edwards (Lowndes) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 50, was adopted.

PASSAGE OF H. 50.

And the bill:

H. 50. To provide further for assistance to blind persons.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Owens
Albea	Cornett	Harper	Paulk
Bailes	Crawford	Heflin	Pennington
Baker (DeKalb)	Daniel	Hogan	Perry
Barnett	Davis	Ingram	Powell
Bassett	Doggett	Jones (Covington)	Rast
Bethea (B)	Downing	Locke	Reynolds
Blanton	Drake	McCorquodale	Rogers
Bolton	Edwards (Escambia)	McDermott	Salter
Boston	Engel	Martin	Scurlock
Bowers	Faulk	Mashburn	Sessions
Brown (Jefferson)	Fields	Meade	Smith
Brown (Tuscaloosa)	Fite	Meeks	Snell
Burnham	Gilmore	Moore	Steagall
Camp	Glass	Morrow	Stembridge
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Vacca
Carr	Grouby	NeSmith	Wood
Casey	Hain	Nettles	Young

—72

MOTION TO SUSPEND RULES LOST

The motion of Mr. Rast to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 675, was lost.

Yeas 26; Nays 31.

Yeas:

Messrs.	Downing	Ingram	Pennington
Bailes	Edington	McDermott	Perry
Bolton	Engel	Meeks	Rast
Brown (Jefferson)	Etheredge	Morrow	Rogers
Burns	Goodwyn	Nabors	Sessions
Carr	Hain	NeSmith	Vacca
Dominick	Hogan	Owens	

—26

Nays:

Messrs.	Baker (DeKalb)	Bethea (B)	Blanton
Avery	Barnett	Bethea (M)	Boston

Bowers	Edwards (Lowndes)	Holladay	Moore
Brown (Tuscaloosa)	Fite	Jones (Covington)	Paulk
Callahan	Gilmore	Little	Pierce
Daniel	Glass	Locke	Salter
Davis	Goldthwaite	Martin	Scurlock
Doggett	Heflin	Mashburn	Young

—31

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Davis to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 436, was adopted.

PASSAGE OF H. 436

And the bill:

H. 436. (With Amendment). To make an appropriation from the state treasury to the use of the board of education of Bibb County for construction and equipment of a new high school at West Blocton.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

Amend H. B. 436 by striking therefrom all of Section 2 and inserting in lieu thereof the following:

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

And the amendment was adopted.

Yeas 56; Nays 5.

Yeas:

Mr. Speaker	Callahan	Gilmore	Nettles
Avery	Cates	Glass	Owens
Bailes	Cooper	Goldthwaite	Paulk
Baker (DeKalb)	Cornett	Grouby	Pennington
Barnett	Crawford	Hannah	Perry
Bassett	Daniel	Harper	Powell
Bethea (B)	Davis	Ingram	Rast
Bethea (M)	Downing	Jones (Covington)	Reynolds
Blanton	Edington	McDermott	Scurlock
Bolton	Edwards (Escambia)	Martin	Smith
Boston	Edwards (Lowndes)	Meeks	Thomas
Bowers	Engel	Morrow	Vacca
Brown (Jefferson)	Fields	Nabors	Wood
Brown (Tuscaloosa)	Fite	NeSmith	Young

—56

Nays:

Messrs.	Doggett	Little	Mashburn
Carr	Heflin		

—5

And said bill, H. 436, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 52; Nays 16.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Gilmore	Owens
Avery	Callahan	Goldthwaite	Paulk
Bailes	Cates	Grouby	Pennington
Baker (DeKalb)	Cooper	Hannah	Perry
Barnett	Crawford	Ingram	Rast
Bassett	Davis	Locke	Reynolds
Bethea (B)	Downing	McDermott	Scurlock
Bethea (M)	Edington	Martin	Sessions
Blanton	Edwards (Escambia)	Meade	Smith
Bolton	Edwards (Lowndes)	Meeks	Thomas
Boston	Engel	Morrow	Vacca
Bowers	Fields	Nabors	Wood
Brown (Jefferson)	Fite	Nettles	Young

—52

Nays:

Messrs.	Doggett	Holladay	Mashburn
Albea	Goodwyn	Jones (Covington)	Moore
Burnham	Hain	Little	NeSmith
Carr	Heflin	McCorquodale	Rogers
Cornett			

—16

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Ingram to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 440, was adopted.

PASSAGE OF H. 440

And the bill:

H. 440. To exempt licensed practitioners of any of the healing arts or any branch thereof from liability for civil damages resulting from any acts or omissions of such licensees in rendering emergency care at the scene of the emergency.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 66; Nays 1.

Yeas:

Mr. Speaker	Boston	Carr	Drake
Albea	Bowers	Cates	Edington
Bailes	Brown (Jefferson)	Cooper	Edwards (Escambia)
Baker (DeKalb)	Brown (Tuscaloosa)	Crawford	Edwards (Lowndes)
Barnett	Burnham	Daniel	Engel
Bassett	Callahan	Davis	Faulk
Blanton	Camp	Doggett	Fields
Bolton	Campbell (Tuscaloosa)	Downing	Fite

Gilmore	Jones (Covington)	Nabors	Reynolds
Glass	Little	NeSmith	Rogers
Grouby	Locke	Nettles	Salter
Hannah	McDermott	Owens	Scurlock
Harper	Martin	Paulk	Smith
Heflin	Meade	Perry	Vacca
Hogan	Meeks	Pierce	Wood
Holladay	Moore	Powell	Young
Ingram	Morrow		

—66

Nay:

Mr. Pennington

—1

PASSAGE OF H. 698

And the bill:

H. 698. To alter, rearrange and extend the boundaries and corporate limits of the town of Springville, St. Clair County, Alabama, so as to annex certain territory to the town.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Camp	Fite	Nabors
Albea	Campbell (Tuscaloosa)	Gilmore	NeSmith
Avery	Carr	Glass	Nettles
Bailes	Cates	Grouby	Owens
Baker (DeKalb)	Cook	Hannah	Paulk
Barnett	Cooper	Harper	Pennington
Bassett	Cornett	Hogan	Perry
Bethea (B)	Crawford	Holladay	Powell
Blanton	Daniel	Jones (Covington)	Reynolds
Bolton	Doggett	Locke	Rogers
Boston	Downing	McCorquodale	Scurlock
Bowers	Edington	McDermott	Sessions
Branyon	Edwards (Escambia)	Martin	Smith
Brown (Jefferson)	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Wood
Burnham	Faulk	Moore	Young
Burns	Fields	Morrow	

—67

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 118, was adopted.

PASSAGE OF H. 118

And the bill:

H. 118. To amend Section 93, Title 8, Code of Alabama 1940,

which relates to hunting or trapping in the nighttime on lands of another without permission so as to increase the penalty therefor.

Was taken up.

Mr. Nettles offered the following amendment to the bill, H. 118:

Amendment to H. B. 118:

In the last line of Section 1 of said bill immediately after the word "raccoon", add the word "rabbit".

And the amendment was adopted.

Yeas 65; Nays 7.

Yeas:

Mr. Speaker	Cornett	Hannah	Nabors
Avery	Crawford	Harper	NeSmith
Bailes	Daniel	Heflin	Nettles
Baker (DeKalb)	Davis	Hogan	Owens
Barnett	Doggett	Holladay	Paulk
Bassett	Downing	Ingram	Pennington
Bethea (M)	Drake	Little	Pierce
Blanton	Edington	Locke	Powell
Bolton	Edwards (Escambia)	McCorquodale	Reynolds
Boston	Edwards (Lowndes)	McDermott	Rogers
Bowers	Engel	Martin	Salter
Brown (Jefferson)	Faulk	Mashburn	Sessions
Brown (Tuscaloosa)	Fields	Meade	Smith
Campbell (Tuscaloosa)	Gilmore	Meeks	Steagall
Casey	Glass	Moore	Vacca
Cook	Grouby	Morrow	Wood
Cooper			

—65

Nays:

Messrs.	Camp	Cates	Hankins
Branyon	Callahan	Fite	Jones (Covington)

—7

And said bill, H. 118, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the senate without engrossment.

Yeas 53; Nays 17.

Yeas:

Mr. Speaker	Crawford	Fields	Martin
Baker (DeKalb)	Daniel	Gilmore	Mashburn
Barnett	Davis	Grouby	Meeks
Bassett	Doggett	Hannah	Moore
Bethea (M)	Downing	Heflin	Nabors
Blanton	Drake	Hogan	NeSmith
Bowers	Edington	Holladay	Nettles
Brown (Jefferson)	Edwards (Escambia)	Little	Owens
Campbell (Tuscaloosa)	Edwards (Lowndes)	Locke	Paulk
Cook	Engel	McCorquodale	Pennington
Cornett	Faulk	McDermott	Perry

Pierce
Powell
Reynolds

Rogers
Sessions

Smith
Thomas

Vacca
Wood

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Nays:

Messrs.
Albea
Bailes
Bethea (B)
Bolton

Boston
Branyon
Burnham
Callahan
Camp

Casey
Cates
Cooper
Fite

Hankins
Jones (Covington)
Meade
Scurlock

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MOTION TO SUSPEND RULES LOST

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 43, was lost.

REPORT OF THE STANDING COMMITTEE ON RULES
ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 182. To amend further Code of Alabama 1940, Title 36, Sections 60 and 61, in relation to the amount of the license payable by motor vehicle operators.

Also:

H. 266. To amend Code of Alabama 1940, Title 41, Section 10, in relation to the commissioning of notaries public.

Also:

H. 288. To make an appropriation from the State Treasury to the use of the Department of Public Safety and Conservation and the Alcoholic Beverage Control Board.

Also:

H. 352. To alter or re-arrange the boundary lines of the City of Gadsden, Etowah County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Etowah County, Alabama.

Also:

H. 480. To amend further Act No. 541, H. 512, Regular Session 1951, an act providing for the allocation of the duties of the chairman and members of the city commission of certain cities classified on a population basis and providing for their compensation.

Also:

H. 489. Providing further for the construction, maintenance and repair of roads and bridges in Lauderdale County; relieving the state highway department of certain duties relative to such construction, maintenance

and repair; transferring such duties to the county governing body of Lauderdale County; providing for the transfer from the state highway department to the Lauderdale County governing body of certain funds, road equipment, machinery and supplies; providing for the assumption and retirement of outstanding debts incurred in the construction, maintenance and repair of Lauderdale County roads and bridges; requiring roads and bridges of Lauderdale County to be constructed, maintained and repaired on the basis of the county as a unit; providing for and requiring the appointment of a county engineer; repealing Act No. 30, H. 69, Regular Session of 1953 (Acts 1953, p. 32) and other conflicting laws; and providing that this act shall become operative only if approved at a referendum held in Lauderdale County, as herein provided.

Also:

H. 490. Relating to Lauderdale County, providing for additional meetings of the board of registrars.

Also:

H. 491. To change the method of compensating certain officers of Lauderdale County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 133. To amend the Title and Section 1 of Act No. 68, H. 92, First Special Session 1956 (Acts 1956, p. 101), entitled "An Act To fix the compensation of members of the court of county commissioners, board of revenue, or like governing body of all counties having a population of not more than 11,900, according to the last or any subsequent federal decennial census."

Also:

H. 387. Relating to Madison County; authorizing the sheriff to appoint deputies as needed, whose compensation may be paid by the county; repealing conflicting laws.

Also:

H. 404. Relating to counties having populations of not less than 300,000 nor more than 500,000; to provide further for fixing valuations of real property for ad valorem taxation.

Also:

H. 448. To apply in Mobile County, Alabama, and requiring the payment to Mobile County by payment to the License Commissioner of Mobile County; in addition to all other licenses and taxes required by law, save as specifically in this Act excepted; of a license tax equal to four cents on each twelve fluid ounces, or fractional part thereof, of malt or brewed beverages sold, distributed, delivered, or taken out of storage, within such County; to provide for the payment of such license tax and to provide the machinery for the collection thereof and the operation of this Act; and to provide for the distribution of the proceeds of such license tax; and to provide for the enforcement of this Act, and prescribe penalties and fix punishment for the violation of any of the provisions of this Act; and to provide for the confiscation and destruction of malt or brewed beverages and their containers when distributed, offered for sale, possessed by a retail dealer, which does not have affixed a decal or other device indicating the payment of the license tax levied by this Act; and to repeal Act No. 415 of the Acts of the Legislature of

Alabama of 1947, published in the local Acts of Alabama of 1947 at pages 265-270; as amended by Act No. 622 of Acts of the Legislature of Alabama of 1951, published in the Acts of 1951 at pp. 1074-1076; and to declare ineffective, determined and at an end, all ordinances, presently existing, of any and all municipal corporations in the said County of Mobile levying and providing for the collection of a license tax on malt or brewed beverages.

Also:

H. 463. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Also:

H. 487. Relating to the court fees and costs of the Court of Common Claims of Jefferson County.

Also:

H. 488. Relating to the court fees and costs of the Jefferson County Civil Court.

Also:

H. 493. Relating to counties having populations of not less than 15,400 nor more than 16,000; fixing the compensation of the county or deputy solicitor in such counties.

Also:

H. 506. Relating to the first judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Also:

H. 509. Relating to the town of Newton, in Dale County: exempting certain farm land and appurtenances from municipal ad valorem taxation so long as the same is used for farm purposes.

Also:

H. 513. To authorize, direct and require the Commissioner of Revenue to collect any sales and use taxes now or hereafter levied by the City of East Brewton, Escambia County, Alabama under the provisions of any ordinance or resolution duly promulgated and adopted by the governing body of said city; and to prescribe the powers, duties and authority of the Commissioner of Revenue, the State Department of Revenue and the State Comptroller with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Also:

H. 515. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Boligee, in the County of Greene, State of Alabama; and to prescribe the time when this act shall become effective.

Also:

H. 517. To Amend Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Also:

H. 528. To repeal Act No. 132, H. 112, approved September 21, 1959 (Acts of Alabama 1959, vol. 1, p. 654), entitled, "An Act To apply to Pickens County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken."

Also:

H. 529. Relating to Pickens County; providing for coverage of the employees of the county under the Workmen's Compensation Act.

Also:

H. 547. To provide for the compensation of jurors in Choctaw County.

Also:

H. 548. To regulate further the compensation and allowances of election officers in Choctaw County.

Also:

H. 550. To amend further Act No. 132, H. 138, Second Special Session 1959 (Acts 1959, p. 382), an act providing for a law and equity court of Crenshaw County.

Also:

H. 555. Relating to counties having populations of not less than 15,500 nor more than 16,300; vesting in the probate courts of such counties the civil jurisdiction of justice of the peace courts.

Also:

H. 558. To provide for the compensation of county or deputy solicitors in counties having populations of not less than 15,000 nor more than 15,300.

Also:

H. 559. To alter, rearrange and extend the boundaries of the City of Bessemer, Alabama, so as to include within the corporate limits thereof certain additional territory in Section 34, Township 18 South, Range 4 West, Jefferson County, Alabama.

Also:

H. 560. To alter and re-arrange the boundary lines of the City of Birmingham, Alabama, so as to include within the corporate limits of said city all territory now within such corporate limits and all certain other territory in Jefferson County, Alabama, contiguous to said city.

Also:

H. 566. Relating to counties having populations of not less than 27,000 nor more than 30,000; regulating the compensation of the county superintendent of education of such counties.

Also:

H. 594. Relating to Perry County; to provide for the appointment and compensation of Clerks for the Tax Assessor and Tax Collector of Perry County, Alabama.

Also:

H. 595. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of expense allowances to members of the county governing body.

Also:

H. 596. To authorize and direct the county board of education in all counties having populations of not less than 21,850 nor more than 21,950, according to the most recent federal decennial census, to fix the salary and expense allowance of the county superintendent of education at amounts not less than the salaries and expenses paid to certain other employees of the board.

Also:

H. 600. To repeal Act No. 47, H. 70, Second Special Session 1963, relating to counties having populations of not less than 15,300 nor more than 15,400.

Also:

H. 601. To provide an expense allowance for members of the court of county commissioners, board of revenue, or other like governing body of all counties having populations of not less than 15,300 nor more than 15,400, according to the last or any subsequent federal decennial census; giving the Act limited retroactive effect.

Also:

H. 604. To alter or rearrange the boundary line of the City of Bay Minette, Baldwin County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Baldwin County, Alabama.

Also:

H. 446. To vacate certain Streets, Avenues and Alleys, and other public ways in part of the area in the City of Birmingham known as Urban Renewal Project Ala. R-22, occupying part of the area West of Avenue "V", North of Pike Road, East of Avenue "J" and South of Twentieth Street, Ensley.

Also:

H. 364. To authorize Alabama State Docks Department, with the approval of the Governor, to sell and issue from time to time not exceeding \$10,000,000 principal amount of bonds in addition to those heretofore authorized; to provide that the proceeds of said bonds shall be used to provide for the refunding and retirement of outstanding revenue securities heretofore issued by said Department, for the payment of expenses of issuing said additional bonds, and for the construction, improvement and equipment of additional seaport facilities within the State; to permit the issuance hereunder of additional parity bonds, secured on a parity of lien with all bonds issued hereunder, provided the said additional parity bonds

are hereafter authorized by the Legislature of Alabama; to provide for the detail of bonds issued hereunder the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to authorize said Department, with the approval of the Governor, to issue its notes not exceeding \$1,000,000 in principal amount in evidence of temporary loans made to it; to provide that bonds and notes issued hereunder shall not be or constitute a debt of the State of Alabama, shall not pledge the faith or credit of the State of Alabama, and shall be limited obligations payable solely out of revenues of said Department; to designate the revenues from which the principal of and the interest on bonds and notes issued hereunder may be made payable; to provide for and authorize the pledge of the said revenues for payment of the said principal and interest; to authorize the Department to invest in direct obligations of the United States of America any funds available for the purpose of retiring said outstanding revenue securities; to provide for the retirement of such outstanding revenue securities by the deposit of cash or such obligations of the United States or both in an irrevocable trust fund, which may be administered by a corporate trustee; to authorize the publication of notice of the adoption of an order authorizing the issuance of bonds hereunder and limiting the time within which any action may be brought to set aside or contest the validity of any such bonds or any proceedings authorizing the same or any pledge or instrument securing the same; to provide that all bonds and notes issued hereunder and the income therefrom shall be exempt from all taxation; and to provide that bonds and notes issued hereunder shall be deemed negotiable instruments, and may be used to secure deposits of funds of the State of Alabama or of any instrumentality or agency of the State, and shall be lawful investments for fiduciary funds; and to provide for the disposition of the revenues of the said Department while any of said bonds or notes are outstanding.

Also:

H. 512. To repeal Act No. 657, H. 1385, Regular Session 1961 (Acts 1961, p. 799), an act which levies sales and use taxes in Elmore County.

Also:

H. 110. To implement the provisions of that certain Constitutional Amendment that was proposed by Act No. 151, adopted at the 1957 Regular Session of the Legislature of Alabama and that authorizes the State to engage in works of internal improvements by promoting, developing, constructing, maintaining and operating along navigable streams and waterways of Alabama all manner of docks and facilities of every kind, in aid of commerce and use of waterways of the State, and to incur indebtedness and issue bonds for said purpose; to authorize the State to engage in such works of internal improvement at an additional cost of not exceeding \$2,000,000; to designate the Alabama State Docks Department and any department or agency of the State that may succeed to its functions as the Agency to undertake, manage, operate and control such developments and improvements; to prescribe the powers, duties and authority of said Department in connection therewith; to authorize the State to become indebted to the extent of not exceeding \$2,000,000 in principal amount to carry out the provisions of this Act and to issue its interest bearing direct general obligation bonds therefor; to prescribe in general the terms of such bonds and the method and manner of the sale and issuance thereof; to exempt the same and the interest thereon from taxation; to provide for the payment for any indebtedness evidenced by bonds issued pursuant to this Act and to pledge the full faith and credit of the State to the payment of such indebtedness; to provide for the refunding of any bonds issued under the said Constitutional amendment; to provide for investment of the proceeds of any bonds issued hereunder

and other funds received under this Act, pending the need for such funds; to provide for the use of funds obtained from the operation of improvements constructed with proceeds of any bonds issued under the provisions of said Constitutional Amendment; to make appropriation for payment of the principal of and interest on bonds issued under the said Constitutional Amendment from the General Fund of the State; to provide for the acquisition of property for the purposes of this Act and for the exercise of the power of eminent domain with regard thereto; to prescribe the powers and duties of the Governor, the said Department and other officers of the State in carrying out the provisions of this Act; to authorize the said Department to fix and collect reasonable rates and charges for services rendered by, and for use of, facilities established pursuant to this Act; and to require the maintenance of records of the total cost of, the gross revenues from, and the expenses of operating, each unit of development acquired, constructed, or operated pursuant to the provisions of this Act or Act No. 311 adopted at the 1957 Regular Session of the Legislature, Act No. 98 adopted at the 1959 Regular Session of the Legislature or Act No. 716 adopted at the 1961 Regular Session of the Legislature; and to provide that surplus revenues derived from operation of the state docks facilities at the Port of Mobile may be used to meet operating deficits of the facilities constructed under said Constitutional Amendment.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 89. Extending appreciation to the Mobile Delegation and those responsible for the weekend at Dauphin Island June 28 for entertainment extended members of the Legislature and the Governor's Staff.

Also:

H. J. R. 88. Expressing thanks for the cordiality, hospitality, and good fellowship afforded members of the Legislature and their families at Dauphin Island by the Mobile Delegation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Dumas, Tyson and Robison (Montgomery):

S. 282. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$10,000,000 for the purpose of financing the construction and equipment of works of internal improvement for use and operation as a part of the State Docks facilities and providing for the retirement of all or any part of the revenue bonds heretofore issued by Alabama State Docks Department.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate bill, S. 282, the title of which is set out in the above and foregoing Message from the Senate, was read a first time at length as required by the Constitution, and referred to the Standing Committee on Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate bill and ordered same sent forthwith to the House without engrossment:

By Mr. Tyson:

S. 77. To grant authority to the Department of Conservation to require parties requesting the advertisement of State lands for oil and gas lease purposes to pay for such advertising as may be required by law and to further grant authority to the Department of Conservation to make reasonable charges for copies of its oil and gas lease tract charts.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 77. Conservation.

ADJOURNMENT

On motion of Mr. Edwards (Escambia), the House, in accordance with S.J.R. 33 adopted on the twenty-second legislative day, adjourned until Tuesday, July 23, 1963, at twelve o'clock, noon.

Yeas 43; Nays 26.

Yeas:

Messrs.
Albea
Avery

Bailes
Barnett
Bassett

Bethea (M)
Blanton
Brown (Jefferson)

Brown (Tuscaloosa)
Burnham
Callahan

Camp	Edwards (Escambia)	Ingram	Paulk
Campbell (Tuscaloosa)	Edwards (Lowndes)	Jones (Covington)	Powell
Carr	Faulk	Little	Reynolds
Cook	Fite	Locke	Sessions
Crawford	Gilmore	Martin	Steagall
Doggett	Hankins	Meade	Thomas
Downing	Harper	Morrow	Vacca
Drake	Heflin	NeSmith	Wood

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Nays:

Mr. Speaker	Davis	McCorquodale	Nettles
Boston	Edington	McDermott	Owens
Branyon	Fields	Mashburn	Perry
Casey	Goldthwaite	Meeks	Pierce
Cates	Grouby	Moore	Salter
Cooper	Hannah	Nabors	Young
Daniel	Hogan		

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 TWENTY-FOURTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, July 23, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Lt. Col. Conway Lanford,
 Base Chaplain, Maxwell Air Force Base, Maxwell Field, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to
 their names:

Mr. Speaker	Callahan	Edwards (Escambia)	Holladay
Albea	Camp	Edwards (Lowndes)	Jones (Covington)
Avery	Campbell (Jackson)	Engel	Jones (Monroe)
Bailes	Campbell (Tuscaloosa)	Etheredge	Little
Baker (DeKalb)	Cantrell	Faulk	Locke
Baker (Madison)	Carr	Fields	McCorquodale
Barnett	Casey	Fite	McDermott
Bassett	Cates	Gilmore	Martin
Bethea (B)	Collins	Glass	Mashburn
Bethea (M)	Cook	Goldthwaite	Meade
Bevill	Cooper	Goodwyn	Meeks
Blanton	Cornett	Grouby	Merrill
Bolton	Crawford	Hain	Moore
Boston	Daniel	Hankins	Morrow
Bowers	Davis	Hannah	Nabors
Branyon	Doggett	Harper	NeSmith
Brown (Jefferson)	Dominick	Hawkins	Nettles
Brown (Tuscaloosa)	Downing	Heflin	Owens
Burnham	Drake	Hester	Paulk
Burns	Edington	Hogan	Pennington

Perry	Reynolds	Steagall	Turner (Limestone)
Pierce	Rogers	Stembridge	Turnham
Posey	Salter	Sullivan	Vacca
Powell	Scurlock	Teel	Wood
Pruitt	Sessions	Thomas	Young
Rast	Smith	Turner (Crenshaw)	

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A quorum was present.

LEAVES OF ABSENCE

On motion of Mr. Casey leave of absence was granted to Mr. Ingram.

On motion of Mr. Goodwyn leave of absence was granted to Mr. Bevill for the twentieth, twenty-first, twenty-second and twenty-third legislative days.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 94. BE IT RESOLVED BY THE HOUSE that the following business in the order named be made special, paramount and continuing order of business, at this time for the twenty fourth Legislative Day, taking precedence over any other business of the House on this day:

1. Report of Standing Committees
2. Second reading of HJ.R. 93
3. All uncontested local bills on the calendar
4. Call of the counties for introduction of bills and resolutions.
5. The following bills in the order named:

H.B. 261	Page 32
H.B. 734	Page 45
H.B. 709	Page 44
H.B. 673	Page 49
H.B. 610	Page 48
H.B. 582	Page 36
H.B. 584	Page 36
H.B. 586	Page 36
H.B. 587	Page 36
H.B. 588	Page 37
H.B. 589	Page 37

H.B. 590	Page 37
H.B. 591	Page 37
H.B. 458	Page 26
H.B. 21	Page 14
H.B. 472	Page 27
H.B. 473	Page 28
H.B. 33	Page 31
H.B. 332	Page 41
H.B. 632	Page 30
H.B. 253	Page 1
H.B. 254	Page 3
H.B. 112	Page 12
H.B. 304	Page 14
H.B. 545	Page 41
H.B. 731	Page 49
H.B. 732	Page 49
H.B. 733	Page 50
H.B. 527	Page 35
H.B. 142	Page 2
H.B. 143	Page 2
H.B. 797	Page 47
H.B. 481	Page 33
H.B. 136	Page 76
H.B. 410	Page 35
H.B. 402	Page 24
H.B. 804	Page 49
H.B. 259	Page 13
H.B. 675	Page 43
H.B. 92	Page 44
H.B. 222	Page 20
H.B. 697	Page 34
H.B. 520	Page 26
H.B. 201	Page 4
H.B. 457	Page 18
H.B. 570	Page 45
H.B. 572	Page 45
H.B. 620	Page 46

H.B. 621 Page 46

H.B. 795 Page 76

H.B. 796 Page 77

And H.R. 94 was adopted.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 282. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$10,000,000 for the purpose of financing the construction and equipment of works of internal improvement for use and operation as a part of the State Docks facilities and providing for the retirement of all or any part of the revenue bonds heretofore issued by Alabama State Docks Department.

The above bill was read a second time at length as required by the Constitution.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 837. Relating to prisons and prisoners; prescribing the formulation of a code of conduct for prisoners by the board of corrections and regulating the use thereof in relation to offenses by prisoners against the good order and discipline of prison administration.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendments, and it was read a second time and placed on the Calendar, to-wit:

H. 400. (With Substitute) (With Amendments). To prohibit and make unlawful the employment of persons from outside the state of Alabama who repeatedly offer themselves for employment where economic disputes exist, and further to restrict and provide punishment for organizations recruiting such persons from outside this state.

Mr. Hawkins, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 6. (With Amendment). Defending and regulating the practice of physical therapy; providing for examination and licensing of physical therapists; providing for the appointment of a board of physical therapy; providing for the enforcement of the provisions of this Act; and prescribing penalties.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 29. To amend further Code of Alabama 1940, Title 52, Section 77, which relates to the operation of boundary line schools.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 686. To provide for and require reidentification of the registered electors of all counties in Alabama which have not conducted a reidentification of voters since January 1, 1953; imposing duties upon boards of registrars and other county officers, and upon the electors whose names appear on the lists of qualified voters.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report and they were severally read a second time and placed on the Calendar, to-wit:

H. 605. To propose an amendment to the Constitution of Alabama as amended in relation to the levying of special county taxes for public hospital purposes.

The above bill was read a second time at length as required by the Constitution.

H. 674. To further promote the agricultural interests of the state by providing for the acquisition, establishment, equipment, operation, and maintenance of state farmers' markets; and to define the duties, powers, and authority of the State board of agriculture and industries and the commissioner of agriculture and industries in relation to such markets.

H. 705. To amend further Section 31 of Title 17, Code of Alabama 1940, relating to examinations of applicants to register.

H. 711. Relating to counties; authorizing the payment from county funds of premiums for bonds required of notaries public who are county employees.

H. 738. Relating to the compensation of jurors; amending further Code of Alabama 1940, Title 11, Section 98.

H. 768. To provide that any city or town in the State having a commission form of Government may come within and be governed by the provisions of this Act upon the adoption and publication of an ordinance by the governing body thereof electing so to do; to provide that the members of the governing body serving at the time of the adoption of such ordinance shall continue to serve until the qualification of their successors; to provide that all laws, ordinances, resolutions, and appointments in force when the municipality comes under this Act shall remain in force until repealed or altered; to provide for the election and term of office of Commissioners; to establish the qualifications of candidates for commissioners positions; to provide for the distribution of the powers of the municipality among the commissioners; to provide for meetings of the board of Commissioners and the manner of adopting ordinances and resolutions; to provide that no franchise, lease or right shall become effective until thirty days after the granting thereof; to provide for the election of a recorder; to require the posting of a bond by Commissioners; to prohibit Commissioners from holding other public offices; to prohibit any Commissioner, Officer or Employee of the Municipality from having any interest in any contract with the Municipality; to bar persons related to any Commissioner from holding public office; to provide punishment for

violation of such prohibitions; to require the publication of financial reports of the Municipality; to provide for the filling of any vacancies that may occur in the membership of the board; to provide for the salaries of Commissioners and other disbursements of the Municipality; to provide that meetings of the Board of Commissioners shall be open to the public; to provide a manner for changing the form of government of the Municipality; to provide for the presentation of a petition calling for the resignation of a Commissioner, and to establish requirements for the signing thereof; to provide a fee for the Judge of Probate for examining such petition; to provide a penalty for violation of the restriction on signing such a petition; to provide for an election to recall a Commissioner and for the election of his successor; and to state the method for ascertaining qualified voters in Municipalities situated in more than one County.

H. 855. To authorize the governing body of any county to appropriate county funds to municipal industrial development boards within or without the county.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 854. To authorize the court of county commissioners, board of revenue, or like governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

H. 862. Relating to elections in counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for a recount of the vote in certain ballot boxes on order of the circuit judge of such counties.

H. 864. To provide for and require the use of voting machines for registering, recording, and computing the votes at all elections hereafter held in Escambia County.

H. 865. To amend Act No. 119, H. 393, Regular Session 1959 (Acts 1959, v. 1, p. 641), in relation to the qualifications of the superintendent of education of Escambia County.

H. 866. Relating to counties having populations of not less than 50,000 nor more than 54,000; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such elections officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

H. 873. Relating to counties having populations of not less than 57,-

000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 243. (With Amendment). Relating to Walker County; providing for and establishing a central purchasing system for the county, and for all officers, offices, departments, and instrumentalities of the county, including public hospitals but excluding the county board of education.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the calendar, to-wit:

H. 867. To permit the advertising of malt or brewed beverages on the outside of commercial transit company vehicles in counties having a population in excess of 600,000.

H. 868. To provide in all counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census, that all officers, authorities, agencies, boards, bureaus or other like entities which receive appropriations from the state, county or municipal governments shall have an annual audit.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 872. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Mr. Salter, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 859. To amend Section 172 of Title 2 of the Code of Alabama of 1940 relating to the annual permit required for the operation of a cotton gin.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 154. To fix the compensation and allowance of certain election officers in every county of the state having a population of not less than

24,525 nor more than 24,675 according to the last or any subsequent federal decennial census.

Also:

S. 163. To alter, rearrange, and extend the boundaries and corporate limits of the Town of Butler so as to annex certain territory to the town.

Also:

S. 168. To Amend Section 4 of Act No. 119 of the Regular Session of the Legislature of 1961, an act providing for deputies, clerks and other assistants of certain officers of Houston County; regulating the compensation of such deputies, clerks and assistants.

Also:

S. 169. To establish in the 20th Judicial Circuit of Alabama the office of Clerk-Secretary to the Circuit Solicitor of the said 20th Judicial Circuit; to prescribe the duties of the said Clerk-Secretary; to fix his or her term of office and to prescribe the pay for said Clerk-Secretary, and to provide for the payment of the salary of said Clerk-Secretary out of the general funds of Houston and Henry Counties of Alabama.

Also:

S. 170. To make an appropriation from the county treasury of Houston County for the relief of Mrs. A. R. Gissendanner.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested.

S. 123. To alter, rearrange and extend the boundary line of the City of Northport, in Tuscaloosa County, Alabama:

Also:

S. 241. To further amend Section 2 of Act No. 501, S. 399, Regular Session 1957 (Acts 1957, p. 688) relating to the office of the judge of probate of Madison County, providing for an increased appropriation of county funds for the operation of such office and authorizing an additional contingent appropriation therefor.

Also:

S. J. R. 24. Deploing efforts to silence unlimited parliamentary debate in the U. S. Congress.

Also:

S. J. R. 28. Inviting members of the Legislature to view the Safety Showcase exhibit.

Also:

S. J. R. 31. Thanking the Mobile Area Chamber of Commerce, and the people of Mobile for an enjoyable vacation at Dauphin Island.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 88. Relative to expressing appreciation to the Mobile Delegation for their hospitality at Dauphin Island.

Also:

H. J. R. 89. Relative to expressing appreciation to individuals and organizations contributing to the success of the week-end at Dauphin Island.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

H.J.R. 93 REFERRED TO COMMITTEE

By Messrs. Fite and Brewer:

H. J. R. 93. Proposing an amendment to the Constitution of Alabama.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, That the following amendment to the Constitution of Alabama be submitted for approval of the qualified electors:

In Article 18, Section 284, as amended by the 24th article of amendment, strike out the last sentence thereof, to-wit, "Representation in the legislature shall be based upon population and such basis of representation shall not be changed by constitutional amendments."

RESOLVED FURTHER, That an election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17 of the Code of Alabama 1940.

RESOLVED FURTHER, That notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

Was referred to the Standing Committee on Constitution and Elections.

H. 478 POSTPONED

On motion of Mr. Meade, consideration of the bill H. 478, was postponed until the twenty-sixth legislative day.

BILLS ON THIRD READING

H. 696. Relating to counties having populations of not less than 21,850 nor more than 21,950 according to the most recent federal decennial census; authorizing payment of salaries and expense allowances to members of the county board of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Crawford	Grouby
Albea	Brown (Tuscaloosa)	Daniel	Hain
Avery	Burnham	Davis	Hankins
Bailes	Burns	Doggett	Hannah
Baker (DeKalb)	Callahan	Downing	Harper
Baker (Madison)	Camp	Drake	Hawkins
Barnett	Campbell (Jackson)	Edgington	Heflin
Bassett	Campbell (Tuscaloosa)	Edwards (Escambia)	Hester
Bethea (B)	Cantrell	Edwards (Lowndes)	Hogan
Bevill	Carr	Etheredge	Holladay
Blanton	Cates	Faulk	Jones (Covington)
Bolton	Collins	Fields	Jones (Monroe)
Boston	Cook	Fite	Locke
Bowers	Cooper	Glass	McCorquodale
Branyon	Cornett	Goodwyn	McDermott

Mashburn	Owens	Rast	Sullivan
Meade	Paulk	Reynolds	Teel
Meeks	Pennington	Rogers	Thomas
Merrill	Perry	Salter	Turner (Crenshaw)
Moore	Pierce	Scurlock	Turner (Limestone)
Morrow	Posey	Sessions	Vacca
Nabors	Powell	Smith	Wood
NeSmith	Pruitt	Steagall	Young
Nettles			

—94

And the bill:

H. 704. Relating to Autauga County: To require the board of education to provide for and allow sick leave with pay to school bus drivers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Pennington
Albea	Cates	Harper	Perry
Avery	Collins	Hawkins	Pierce
Bailes	Cook	Heflin	Posey
Baker (DeKalb)	Cooper	Hester	Powell
Baker (Madison)	Cornett	Hogan	Pruitt
Barnett	Crawford	Holladay	Rast
Bassett	Daniel	Jones (Covington)	Reynolds
Bethea (B)	Davis	Jones (Monroe)	Rogers
Bethea (M)	Doggett	McCorquodale	Salter
Bevill	Downing	McDermott	Scurlock
Blanton	Drake	Martin	Sessions
Bolton	Edington	Mashburn	Smith
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Stembridge
Branyon	Etheredge	Merrill	Sullivan
Brown (Jefferson)	Faulk	Moore	Teel
Brown (Tuscaloosa)	Fields	Morrow	Thomas
Burnham	Fite	Nabors	Turner (Crenshaw)
Burns	Glass	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Vacca
Campbell (Jackson)	Grouby	Owens	Wood
Campbell (Tuscaloosa)	Hain	Paulk	Young
Carr	Hankins		

—74

And the bill:

H. 706. Proposing an amendment to the Constitution relative to the compensation, commissions, fees, percentages and allowances of certain officers of Baldwin County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Pennington
Bailes	Cook	Hawkins	Perry
Baker (DeKalb)	Cooper	Heflin	Pierce
Baker (Madison)	Cornett	Hester	Posey
Barnett	Crawford	Hogan	Powell
Bassett	Daniel	Holladay	Pruitt
Bethea (B)	Davis	Jones (Covington)	Rast
Bethea (M)	Doggett	Jones (Monroe)	Reynolds
Bevill	Downing	Locke	Rogers
Blanton	Drake	McCorquodale	Salter
Bolton	Edington	McDermott	Scurlock
Boston	Edwards (Escambia)	Martin	Sessions
Bowers	Edwards (Lowndes)	Mashburn	Smith
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Faulk	Meeks	Stembridge
Brown (Tuscaloosa)	Fields	Merrill	Teel
Burnham	Fite	Moore	Thomas
Burns	Glass	Morrow	Turner (Crenshaw)
Camp	Goodwyn	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Vacca
Campbell (Tuscaloosa)	Hain	Nettles	Wood
Carr	Hankins	Owens	Young

—92

And the bill:

S. 236. Proposing an amendment to the Constitution regulating the power of municipalities of Mobile County to levy certain privilege license taxes.

Was read a third time at length and passed.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pennington
Albea	Collins	Harper	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Jones (Covington)	Reynolds
Bethea (M)	Doggett	Jones (Monroe)	Rogers
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McDermott	Sessions
Bolton	Edington	Martin	Smith
Boston	Edwards (Escambia)	Mashburn	Steagall
Bowers	Edwards (Lowndes)	Meade	Stembridge
Branyon	Engel	Meeks	Sullivan
Brown (Jefferson)	Etheredge	Merrill	Teel
Brown (Tuscaloosa)	Faulk	Moore	Thomas
Burnham	Fields	Morrow	Turner (Crenshaw)
Camp	Fite	Nabors	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Nettles	Vacca
Cantrell	Grouby	Owens	Wood
Carr	Hain	Paulk	Young
Casey	Hankins		

—94

And the bill:

H. 707. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Cates	Hawkins	Pennington
Albea	Cook	Heflin	Perry
Bailes	Cooper	Hester	Pierce
Baker (DeKalb)	Cornett	Hogan	Posey
Baker (Madison)	Crawford	Holladay	Powell
Barnett	Daniel	Jones (Covington)	Pruitt
Bassett	Davis	Jones (Monroe)	Rast
Bethea (B)	Doggett	Little	Reynolds
Bethea (M)	Downing	Locke	Rogers
Bevill	Drake	McCorquodale	Salter
Blanton	Edington	McDermott	Scurlock
Bolton	Edwards (Escambia)	Martin	Sessions
Boston	Edwards (Lowndes)	Mashburn	Smith
Bowers	Engel	Meade	Steagall
Branyon	Faulk	Meeks	Stembridge
Brown (Jefferson)	Fields	Merrill	Sullivan
Burnham	Fite	Moore	Teel
Burns	Glass	Morrow	Thomas
Camp	Goodwyn	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Grouby	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Hain	Nettles	Turnham
Cantrell	Hankins	Owens	Vacca
Carr	Hannah	Paulk	Wood
Casey	Harper		

—94

And the bill:

H. 708. Relating to Baldwin County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, licenses, excises and fees, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 99; Nays 0.

Yeas:

Mr. Speaker	Bethea (M)	Brown (Tuscaloosa)	Casey
Albea	Bevill	Burnham	Cates
Bailes	Blanton	Burns	Collins
Baker (DeKalb)	Bolton	Camp	Cook
Baker (Madison)	Boston	Campbell (Jackson)	Cooper
Barnett	Bowers	Campbell (Tuscaloosa)	Cornett
Bassett	Branyon	Cantrell	Crawford
Bethea (B)	Brown (Jefferson)	Carr	Daniel

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Davis	Hankins	Meeks	Rogers
Doggett	Hannah	Merrill	Salter
Dominick	Harper	Moore	Scurlock
Downing	Hawkins	Morrow	Sessions
Drake	Heflin	Nabors	Smith
Edington	Hester	NeSmith	Steagall
Edwards (Escambia)	Hogan	Nettles	Stembridge
Edwards (Lowndes)	Holladay	Owens	Sullivan
Engel	Jones (Covington)	Paulk	Teel
Etheredge	Jones (Monroe)	Pennington	Thomas
Faulk	Little	Perry	Turner (Crenshaw)
Fields	Locke	Pierce	Turner (Limestone)
Fite	McCorquodale	Posey	Turnham
Glass	McDermott	Powell	Vacca
Goodwyn	Martin	Pruitt	Wood
Grouby	Mashburn	Rast	Young
Hain	Meade	Reynolds	

—99

And the bill:

H. 710. To alter, rearrange, and extend the boundaries and corporate limits of the town of Centreville in Bibb County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Owens
Albea	Collins	Hannah	Paulk
Bailes	Cook	Harper	Pennington
Baker (DeKalb)	Cooper	Hawkins	Perry
Baker (Madison)	Cornett	Heflin	Pierce
Bassett	Crawford	Hester	Posey
Bethea (B)	Daniel	Hogan	Pruitt
Bethea (M)	Davis	Holladay	Rast
Bevill	Doggett	Jones (Covington)	Reynolds
Blanton	Dominick	Jones (Monroe)	Rogers
Bolton	Downing	Little	Scurlock
Boston	Drake	Locke	Sessions
Bowers	Edington	McCorquodale	Smith
Branyon	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Martin	Stembridge
Brown (Tuscaloosa)	Engel	Mashburn	Sullivan
Burnham	Etheredge	Meade	Teel
Burns	Faulk	Meeks	Thomas
Camp	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Fite	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Morrow	Turnham
Cantrell	Goodwyn	Nabors	Vacca
Carr	Grouby	NeSmith	Wood
Casey	Hain	Nettles	Young

—96

And the bill:

H. 712. To alter, rearrange and extend the boundary lines of the City of Anniston, Alabama in Calhoun County, Alabama, so as to include within the corporate limits of said city certain property therein set out and described.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 95; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pennington
Albea	Collins	Harper	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Jones (Covington)	Reynolds
Bevill	Doggett	Jones (Monroe)	Rogers
Blanton	Dominick	Little	Scurlock
Bolton	Downing	McCorquodale	Sessions
Boston	Drake	McDermott	Smith
Bowers	Edwards (Escambia)	Martin	Steagall
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Jefferson)	Engel	Meade	Sullivan
Brown (Tuscaloosa)	Etheredge	Meeks	Teel
Burnham	Faulk	Merrill	Thomas
Burns	Fields	Moore	Turner (Crenshaw)
Camp	Fite	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Carr	Hain	Owens	Young
Casey	Hankins	Paulk	

—95

And the bill:

H. 715. To alter, rearrange and extend the boundary lines and corporate limits of the town of Butler, in Choctaw County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Camp	Edgington	Hogan
Albea	Campbell (Jackson)	Edwards (Escambia)	Holladay
Bailes	Cantrell	Edwards (Lowndes)	Jones (Covington)
Baker (DeKalb)	Carr	Engel	Little
Baker (Madison)	Casey	Etheredge	McCorquodale
Barnett	Cates	Faulk	McDermott
Bassett	Collins	Fields	Martin
Bethea (B)	Cook	Fite	Mashburn
Bevill	Cooper	Glass	Meade
Blanton	Cornett	Goodwyn	Meeks
Bolton	Crawford	Hain	Merrill
Boston	Daniel	Hankins	Moore
Bowers	Davis	Hannah	Morrow
Branyon	Doggett	Harper	Nabors
Brown (Jefferson)	Dominick	Hawkins	Nettles
Brown (Tuscaloosa)	Downing	Heflin	Owens
Burnham	Drake	Hester	Paulk

Pennington	Rast	Steagall	Turner (Crenshaw)
Perry	Reynolds	Stembridge	Turner (Limestone)
Pierce	Rogers	Sullivan	Turnham
Posey	Scurlock	Teel	Vacca
Powell	Sessions	Thomas	Wood
Pruitt	Smith		

—90

And the bill:

H. 716. Relating to counties having not less than 17,800 nor more than 18,700 populations; providing for the payment of additional expense allowances of members of the court of county commissioners, board of revenue or like governing body of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Owens
Albea	Cates	Hannah	Paulk
Bailes	Collins	Harper	Pennington
Baker (DeKalb)	Cooper	Hawkins	Perry
Baker (Madison)	Cornett	Heflin	Pierce
Barnett	Crawford	Hester	Posey
Bassett	Daniel	Hogan	Powell
Bethea (B)	Davis	Holladay	Pruitt
Bevill	Doggett	Jones (Cornington)	Reynolds
Blanton	Downing	Jones (Monroe)	Rogers
Bolton	Drake	Little	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Turner (Crenshaw)
Camp	Fite	Moore	Turner (Limestone)
Campbell (Jackson)	Glass	Morrow	Turnham
Campbell (Tuscaloosa)	Goodwyn	Nabors	Vacca
Cantrell	Grouby	NeSmith	Wood
Carr	Hain	Nettles	

—91

And the bill:

H. 717. Proposing an amendment to the Constitution of Alabama relative to promotion of economic development of Clarke County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bassett	Blanton
Albea	Baker (Madison)	Bethea (B)	Bolton
Bailes	Barnett	Bevill	Boston

Bowers	Dominick	Hogan	Perry
Branyon	Downing	Holladay	Pierce
Brown (Jefferson)	Drake	Jones (Covington)	Posey
Brown (Tuscaloosa)	Edington	Jones (Monroe)	Powell
Burnham	Edwards (Escambia)	Little	Pruitt
Burns	Edwards (Lowndes)	McCorquodale	Reynolds
Camp	Engel	McDermott	Rogers
Campbell (Jackson)	Etheredge	Martin	Scurlock
Campbell (Tuscaloosa)	Faulk	Mashburn	Sessions
Cantrell	Fields	Meade	Smith
Carr	Fite	Meeks	Steagall
Casey	Glass	Merrill	Stembridge
Cates	Goodwyn	Moore	Sullivan
Collins	Hain	Morrow	Teel
Cooper	Hankins	Nabors	Thomas
Cornett	Hannah	NeSmith	Turner (Crenshaw)
Crawford	Harper	Nettles	Turner (Limestone)
Daniel	Hawkins	Owens	Turnham
Davis	Heflin	Paulk	Vacca
Doggett	Hester	Pennington	Wood

—92

And the bill:

H. 718. Relating to counties having populations of not less than 25,700 nor more than 25,900, regulating further the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures, and other property of such buildings.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Owens
Albea	Cates	Hannah	Paulk
Bailes	Collins	Harper	Pennington
Baker (DeKalb)	Cooper	Hawkins	Perry
Baker (Madison)	Cornett	Heflin	Pierce
Barnett	Crawford	Hester	Posey
Bassett	Daniel	Hogan	Powell
Bethea (B)	Davis	Holladay	Pruitt
Bevill	Doggett	Jones (Covington)	Reynolds
Blanton	Downing	Jones (Monroe)	Rogers
Bolton	Drake	Little	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Thomas
Camp	Fite	Moore	Turner (Crenshaw)
Campbell (Jackson)	Glass	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turnham
Cantrell	Grouby	NeSmith	Vacca
Carr	Hain	Nettles	Wood

—92

And the bill:

H. 725. To provide for the appointment and compensation of additional deputies of the Sheriff of Colbert County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Pennington
Bailes	Collins	Harper	Perry
Baker (DeKalb)	Cook	Hawkins	Pierce
Baker (Madison)	Cooper	Heflin	Posey
Barnett	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Pruitt
Bethea (B)	Davis	Holladay	Reynolds
Bethea (M)	Doggett	Jones (Covington)	Rogers
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	Little	Sessions
Bolton	Edington	McCorquodale	Smith
Boston	Edwards (Escambia)	McDermott	Steagall
Bowers	Edwards (Lowndes)	Martin	Stembridge
Branyon	Engel	Mashburn	Sullivan
Brown (Jefferson)	Etheredge	Meade	Teel
Burnham	Faulk	Meeks	Thomas
Burns	Fields	Merrill	Turner (Crenshaw)
Camp	Fite	Moore	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Carr	Hain	Owens	

—91

And the bill:

H. 729. To provide for the compensation of jurors in counties having populations of not more than 10,900 according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Burnham	Edwards (Escambia)	Hogan
Albea	Burns	Edwards (Lowndes)	Holladay
Bailes	Camp	Engel	Jones (Covington)
Baker (DeKalb)	Campbell (Tuscaloosa)	Etheredge	Jones (Monroe)
Baker (Madison)	Cantrell	Faulk	Little
Barnett	Casey	Fields	McDermott
Bassett	Cates	Fite	Martin
Bethea (B)	Collins	Glass	Mashburn
Bethea (M)	Cook	Goodwyn	Meade
Bevill	Cooper	Grouby	Meeks
Blanton	Crawford	Hain	Merrill
Bolton	Daniel	Hankins	Moore
Boston	Davis	Hannah	Morrow
Bowers	Doggett	Harper	Nabors
Branyon	Downing	Hawkins	NeSmith
Brown (Jefferson)	Drake	Heflin	Nettles
Brown (Tuscaloosa)	Edington	Hester	Owens

Paulk	Pruitt	Sessions	Thomas
Pennington	Rast	Smith	Turner (Crenshaw)
Perry	Reynolds	Steagall	Turner (Limestone)
Pierce	Rogers	Stembridge	Turnham
Posey	Salter	Sullivan	Vacca
Powell	Scurlock	Teel	Wood

—93

And the bill:

H. 730. To change the method of compensating certain officers of Covington County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Pennington
Albea	Collins	Hannah	Perry
Bailes	Cook	Harper	Pierce
Baker (DeKalb)	Cooper	Hawkins	Powell
Baker (Madison)	Crawford	Heflin	Pruitt
Barnett	Daniel	Hester	Rast
Bassett	Davis	Hogan	Reynolds
Bethea (B)	Doggett	Holladay	Rogers
Bevill	Downing	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Bolton	Edington	Little	Sessions
Boston	Edwards (Escambia)	McDermott	Smith
Bowers	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Meade	Stembridge
Burnham	Etheredge	Meeks	Sullivan
Burns	Faulk	Merrill	Teel
Camp	Fields	Moore	Thomas
Campbell (Jackson)	Fite	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	NeSmith	Turner (Limestone)
Cantrell	Goodwyn	Nettles	Turnham
Carr	Grouby	Owens	Vacca
Casey	Hain	Paulk	Wood

—89

And the bill:

H. 736. Relating to Cullman County; authorizing and providing for the establishment, maintenance, operation, control and financing of a public law library for the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Baker (Madison)	Bevill	Bowers
Albea	Barnett	Blanton	Brown (Jefferson)
Bailes	Bassett	Bolton	Burnham
Baker (DeKalb)	Bethea (B)	Boston	Burns

Camp	Edwards (Lowndes)	McDermott	Pruitt
Campbell (Jackson)	Engel	Martin	Reynolds
Campbell (Tuscaloosa)	Etheredge	Mashburn	Rogers
Cantrell	Fields	Meade	Salter
Carr	Fite	Meeks	Scurlock
Casey	Glass	Merrill	Sessions
Cates	Goodwyn	Moore	Smith
Collins	Hain	Morrow	Steagall
Cook	Hankins	Nabors	Stembridge
Cooper	Hannah	NeSmith	Sullivan
Crawford	Harper	Nettles	Teel
Daniel	Hawkins	Owens	Thomas
Davis	Heflin	Paulk	Turner (Crenshaw)
Doggett	Hester	Pennington	Turner (Limestone)
Downing	Hogan	Pierce	Turnham
Drake	Holladay	Posey	Vacca
Edington	Jones (Covington)	Powell	Wood
Edwards (Escambia)	Jones (Monroe)		

—86

And the bill:

H. 737. To amend Section 1 of Act No. 56, H. 325, Regular Session 1943 (Local Acts 1943, p. 28), an act authorizing the levy in Cullman County of a privilege tax on persons and businesses selling, delivering, withdrawing from storage or keeping in storage for sale or delivery in such county gasoline, naphtha, and other liquid motor fuels or any device or substitute therefor, commonly used in internal combustion engines.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Crawford	Hawkins	Pierce
Bailes	Daniel	Heflin	Posey
Baker (DeKalb)	Davis	Hester	Powell
Baker (Madison)	Doggett	Hogan	Pruitt
Barnett	Downing	Holladay	Reynolds
Bassett	Drake	Jones (Covington)	Rogers
Bevill	Edington	Jones (Monroe)	Salter
Bolton	Edwards (Escambia)	McDermott	Scurlock
Boston	Edwards (Lowndes)	Martin	Smith
Bowers	Engel	Mashburn	Steagall
Brown (Jefferson)	Etheredge	Meade	Stembridge
Burnham	Faulk	Meeks	Sullivan
Burns	Fields	Merrill	Teel
Camp	Fite	Moore	Thomas
Campbell (Jackson)	Glass	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turner (Limestone)
Cantrell	Grouby	NeSmith	Turnham
Carr	Hain	Nettles	Vacca
Casey	Hankins	Owens	Wood
Collins	Hannah	Paulk	

—83

And the bill:

H. 740. To abolish the DeKalb County Hospital Association and Hospital Board now existing as two hospital boards, or Associations, De-

Kalb County, Alabama, and to establish in lieu thereof in DeKalb County, Alabama, a DeKalb County Hospital Commission to be known as the DEKALB COUNTY HOSPITAL COMMISSION. To provide for the election of the members of said Commission to fix their term of office, and to define the powers and duties of such Commission, and to fix the compensation of the members thereof, and to provide for a referendum on the adoption of this Act, and the machinery for voting on said Act in said referendum.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Perry
Albea	Cooper	Hawkins	Pierce
Avery	Cornett	Heflin	Posey
Bailes	Crawford	Hester	Powell
Baker (DeKalb)	Daniel	Hogan	Pruitt
Baker (Madison)	Davis	Jones (Covington)	Rast
Barnett	Doggett	Jones (Monroe)	Reynolds
Bassett	Downing	Little	Rogers
Bethea (B)	Drake	McDermott	Salter
Bevill	Edington	Mashburn	Scurlock
Blanton	Edwards (Escambia)	Meade	Sessions
Bolton	Edwards (Lowndes)	Meeks	Smith
Boston	Engel	Merrill	Steagall
Bowers	Etheredge	Moore	Stembridge
Brown (Jefferson)	Fields	Morrow	Sullivan
Burnham	Fite	Nabors	Teel
Burns	Glass	NeSmith	Thomas
Camp	Goodwyn	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Owens	Turnham
Cantrell	Hain	Paulk	Vacca
Carr	Hankins	Pennington	Wood
Casey	Hannah		

—86

And the bill:

H. 741. Relating to Escambia County; providing a central purchasing system for the county and county officers and departments, and for a county purchasing agent.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bevill	Camp	Crawford
Albea	Blanton	Campbell (Jackson)	Daniel
Avery	Bolton	Campbell (Tuscaloosa)	Davis
Bailes	Boston	Cantrell	Doggett
Baker (DeKalb)	Bowers	Carr	Downing
Baker (Madison)	Brown (Jefferson)	Casey	Drake
Barnett	Brown (Tuscaloosa)	Cates	Edington
Bassett	Burnham	Collins	Edwards (Escambia)
Bethea (B)	Burns	Cooper	Edwards (Lowndes)

Engel	Hogan	Owens	Sessions
Etheredge	Jones (Covington)	Paulk	Smith
Faulk	McDermott	Pennington	Steagall
Fields	Martin	Perry	Stembridge
Fite	Mashburn	Posey	Sullivan
Glass	Meade	Powell	Teel
Hain	Meeks	Pruitt	Thomas
Hankins	Merrill	Rast	Turner (Crenshaw)
Hannah	Moore	Reynolds	Turner (Limestone)
Harper	Nabors	Rogers	Turnham
Hawkins	NeSmith	Salter	Vacca
Heflin	Nettles	Scurlock	Wood
Hester			

—85

And the bill:

H. 742. To reorganize the governing body of Escambia County; abolishing the Board of Revenue and creating a Board of County Commissioners; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Glass	Pennington
Albea	Carr	Hain	Perry
Avery	Casey	Hankins	Posey
Bailes	Cates	Hannah	Powell
Baker (DeKalb)	Collins	Harper	Pruitt
Baker (Madison)	Cook	Heflin	Rast
Barnett	Crawford	Hester	Reynolds
Bassett	Daniel	Hogan	Rogers
Bethea (B)	Davis	Jones (Covington)	Salter
Bevill	Doggett	McDermott	Scurlock
Blanton	Downing	Martin	Sessions
Bolton	Drake	Mashburn	Smith
Boston	Edington	Meade	Steagall
Bowers	Edwards (Escambia)	Meeks	Stembridge
Branyon	Edwards (Lowndes)	Merrill	Teel
Brown (Jefferson)	Engel	Moore	Thomas
Burnham	Etheredge	Nabors	Turner (Crenshaw)
Burns	Faulk	NeSmith	Turner (Limestone)
Camp	Fields	Owens	Vacca
Campbell (Jackson)	Fite	Paulk	Wood
Campbell (Tuscaloosa)			

—81

And the bill:

H. 743. To create an inferior court for Escambia County to replace the court created by Act No. 665, H. 1019, Regular Session 1951, abolishing the existing court and providing for a transfer of pending cases.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Perry
Albea	Casey	Hankins	Posey
Bailes	Cates	Hannah	Powell
Baker (DeKalb)	Collins	Harper	Pruitt
Baker (Madison)	Crawford	Heflin	Rast
Barnett	Daniel	Hester	Reynolds
Bassett	Davis	Hogan	Rogers
Bethea (B)	Doggett	Jones (Covington)	Salter
Bevill	Downing	McDermott	Scurlock
Blanton	Drake	Martin	Sessions
Bolton	Edington	Mashburn	Smith
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Stembridge
Branyon	Engel	Merrill	Sullivan
Brown (Jefferson)	Etheredge	Moore	Teel
Burnham	Faulk	Nabors	Thomas
Burns	Fields	NeSmith	Turner (Crenshaw)
Camp	Fite	Owens	Turner (Limestone)
Campbell (Jackson)	Glass	Paulk	Vacca
Campbell (Tuscaloosa)	Grouby	Pennington	Wood
Cantrell			

—81

And the bill:

H. 744. To regulate further the compensation of jailers and deputies sheriff of Escambia County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Casey	Grouby	Paulk
Albea	Cates	Hain	Pennington
Avery	Collins	Hankins	Perry
Bailes	Cook	Hannah	Posey
Baker (DeKalb)	Cooper	Harper	Powell
Baker (Madison)	Cornett	Hawkins	Pruitt
Bassett	Crawford	Heflin	Rast
Bethea (B)	Daniel	Hester	Reynolds
Bevill	Davis	Hogan	Rogers
Blanton	Doggett	Holladay	Salter
Bolton	Downing	Jones (Covington)	Scurlock
Boston	Drake	McCorquodale	Sessions
Bowers	Edington	McDermott	Smith
Branyon	Edwards (Escambia)	Martin	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Tuscaloosa)	Engel	Meade	Sullivan
Burnham	Etheredge	Merrill	Teel
Burns	Faulk	Moore	Thomas
Camp	Fields	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Fite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Nettles	Vacca
Cantrell	Goodwyn	Owens	Wood
Carr			

—89

And the bill:

H. 755. To prescribe certain rules of procedure, pleading, and practice relating to the joinder of parties and the rendition of judgment in certain courts in Franklin County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Harper	Pierce
Avery	Cook	Hawkins	Posey
Bailes	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Baker (Madison)	Crawford	Hogan	Rast
Barnett	Daniel	Holladay	Reynolds
Bassett	Davis	Jones (Covington)	Rogers
Bethea (B)	Doggett	Jones (Monroe)	Salter
Bevill	Downing	McCorquodale	Scurlock
Blanton	Drake	McDermott	Sessions
Bolton	Edington	Martin	Smith
Bowers	Edwards (Escambia)	Mashburn	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Meade	Stembridge
Brown (Tuscaloosa)	Engel	Meeks	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Moore	Thomas
Camp	Fite	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Glass	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Vacca
Carr	Hain	Paulk	Wood
Casey	Hankins	Pennington	

—91

And the bill:

H. 756. To levy in Franklin County a county privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption in such county of cigarettes and cigars; to require that the tax hereby levied shall be collected by the seller or distributor, added to the sale price of the cigarettes and cigars, and passed on to the purchaser or consumer, and that the price and the tax shall be stated separately on any bill of sale or advertising of such cigarettes and cigars; to provide that the tax shall be in addition to all other other taxes now levied by law; to require the affixing of stamps to evidence the payment of the tax, and to provide for obtaining the stamps in the same manner and according to the same rules and regulations that govern the purchasing and affixing of stamps for the payment of the state tobacco tax levied by Title 51, Chapter 20, Article 9, of the Code of Alabama, 1940; to provide for the collection and enforcement of the tax by the state department of revenue in the same manner that the state tobacco tax levied by the above mentioned Article 9 is enforced; to adopt by reference certain provisions of said Article 9, as amended, relative to payment of the tax, records and reports with respect to the tax, and the provisions thereof prescribing penalties for violations; to provide for the distribution and use of the revenue derived from the tax; to authorize the state department of revenue to make rules and regulations to effectuate the purposes of this Act; and to prescribe additional penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cook	Hester	Pierce
Albea	Cooper	Hogan	Posey
Avery	Cornett	Holladay	Powell
Bailes	Crawford	Jones (Covington)	Pruitt
Baker (DeKalb)	Daniel	Jones (Monroe)	Rast
Baker (Madison)	Davis	Little	Reynolds
Barnett	Doggett	McCorquodale	Rogers
Bassett	Downing	McDermott	Salter
Bethea (B)	Drake	Martin	Scurlock
Blanton	Edington	Mashburn	Sessions
Bolton	Edwards (Escambia)	Meade	Smith
Boston	Edwards (Lowndes)	Meeks	Steagall
Bowers	Engel	Merrill	Stembridge
Brown (Jefferson)	Fields	Moore	Sullivan
Burns	Fite	Nabors	Teel
Camp	Glass	NeSmith	Thomas
Campbell (Jackson)	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Tuscaloosa)	Hain	Owens	Turner (Limestone)
Cantrell	Hankins	Paulk	Turnham
Carr	Hannah	Pennington	Vacca
Casey	Harper	Perry	Wood
Cates			

—85

And the bill:

H. 757. To alter, re-arrange and extend the boundaries and corporate limits of the municipality of Greensboro in Hale County; annexing certain territory to said municipality.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Campbell (Jackson)	Edwards (Escambia)	Jones (Monroe)
Albea	Campbell (Tuscaloosa)	Edwards (Lowndes)	Little
Avery	Cantrell	Engel	McCorquodale
Baker (DeKalb)	Carr	Etheredge	McDermott
Baker (Madison)	Casey	Faulk	Martin
Barnett	Cates	Fields	Mashburn
Bassett	Collins	Fite	Meade
Bethea (B)	Cook	Glass	Meeks
Bevill	Cooper	Goodwyn	Merrill
Blanton	Cornett	Grouby	Moore
Boston	Crawford	Hankins	Morrow
Bowers	Daniel	Hannah	Nabors
Branyon	Davis	Harper	NeSmith
Brown (Jefferson)	Doggett	Hawkins	Nettles
Brown (Tuscaloosa)	Dominick	Hester	Owens
Burnham	Downing	Hogan	Paulk
Burns	Drake	Holladay	Pennington
Camp	Edington	Jones (Covington)	Perry

Pierce	Rogers	Steagall	Turner (Crenshaw)
Posey	Salter	Stembridge	Turner (Limestone)
Powell	Scurlock	Sullivan	Turnham
Pruitt	Sessions	Teel	Vacca
Rast	Smith	Thomas	Wood
Reynolds			

—93

And the bill:

H. 758. Relating to the Perry County Hospital Board; authorizing the expenditure of certain public hospital funds for training student nurses.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Pennington
Albea	Collins	Hawkins	Perry
Avery	Cooper	Heflin	Pierce
Baker (DeKalb)	Cornett	Hester	Posey
Baker (Madison)	Crawford	Hogan	Powell
Barnett	Daniel	Holladay	Pruitt
Bassett	Davis	Jones (Covington)	Rast
Bethea (B)	Doggett	Jones (Monroe)	Reynolds
Bevill	Downing	Little	Rogers
Blanton	Drake	McCorquodale	Scurlock
Boston	Edington	Martin	Sessions
Bowers	Edwards (Escambia)	Mashburn	Smith
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Stembridge
Brown (Tuscaloosa)	Faulk	Merrill	Sullivan
Burnham	Fields	Moore	Teel
Burns	Fite	Morrow	Thomas
Camp	Glass	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Nettles	Turnham
Cantrell	Hain	Owens	Vacca
Carr	Hankins	Paulk	Wood
Casey	Hannah		

—90

And the bill:

H. 775. Relating to all judicial circuits of the State of Alabama composed of only one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census; authorizing the solicitor of said Circuit to appoint a Deputy Circuit Solicitor and providing for the payment of said Deputy Circuit Solicitor's compensation from the general funds of the county constituting such circuit.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Harper	Paulk
Albea	Collins	Hawkins	Pennington
Avery	Cooper	Heflin	Perry
Baker (DeKalb)	Cornett	Hester	Pierce
Baker (Madison)	Crawford	Hogan	Posey
Barnett	Daniel	Holladay	Powell
Bassett	Davis	Jones (Covington)	Pruitt
Bethea (B)	Doggett	Jones (Monroe)	Rast
Bevill	Downing	Little	Reynolds
Blanton	Drake	McCorquodale	Rogers
Bolton	Edington	McDermott	Salter
Boston	Edwards (Escambia)	Martin	Scurlock
Bowers	Edwards (Lowndes)	Mashburn	Smith
Brown (Jefferson)	Etheredge	Meade	Steagall
Burnham	Faulk	Meeks	Stembridge
Burns	Fields	Merrill	Sullivan
Camp	Fite	Moore	Teel
Campbell (Jackson)	Glass	Morrow	Thomas
Campbell (Tuscaloosa)	Grouby	Nabors	Turner (Limestone)
Cantrell	Hain	NeSmith	Turnham
Carr	Hankins	Nettles	Vacca
Casey	Hannah	Owens	Wood

—88

And the bill:

H. 773. To amend Section 2 of Act No. 52, H. 111, Second Special Session 1963, in relation to the date for holding the election on the constitutional amendment proposed by said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Albea	Cornett	Harper	Perry
Avery	Crawford	Hawkins	Pierce
Baker (DeKalb)	Daniel	Heflin	Posey
Baker (Madison)	Davis	Hester	Powell
Barnett	Doggett	Hogan	Pruitt
Bassett	Downing	Holladay	Rast
Bevill	Drake	Jones (Covington)	Reynolds
Blanton	Edington	Jones (Monroe)	Rogers
Boston	Edwards (Escambia)	McCorquodale	Salter
Bowers	Edwards (Lowndes)	McDermott	Scurlock
Brown (Jefferson)	Engel	Mashburn	Smith
Burnham	Etheredge	Meade	Steagall
Burns	Faulk	Meeks	Stembridge
Camp	Fields	Merrill	Sullivan
Campbell (Jackson)	Fite	Moore	Teel
Campbell (Tuscaloosa)	Glass	Nabors	Thomas
Cantrell	Goodwyn	NeSmith	Turner (Limestone)
Carr	Grouby	Nettles	Turnham
Casey	Hain	Owens	Vacca
Cates	Hankins	Paulk	Wood

—84

And the bill:

H. 774. To provide for payment of expenses of circuit solicitors in judicial circuits in Alabama composed of one county and having a population of not less than Sixty Thousand Five Hundred (60,500) and not more than Sixty-five Thousand (65,000) inhabitants according to the last or any succeeding federal decennial census, to be paid out of the county treasury of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Paulk
Albea	Cornett	Harper	Pennington
Avery	Crawford	Hawkins	Perry
Bailes	Daniel	Heflin	Pierce
Baker (DeKalb)	Davis	Hester	Posey
Baker (Madison)	Doggett	Hogan	Powell
Bassett	Dominick	Holladay	Pruitt
Bevill	Downing	Jones (Covington)	Rast
Blanton	Drake	Jones (Monroe)	Reynolds
Boston	Edington	McCorquodale	Salter
Bowers	Edwards (Escambia)	McDermott	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	Mashburn	Smith
Burnham	Engel	Meade	Steagall
Burns	Etheredge	Meeks	Stembridge
Campbell (Jackson)	Faulk	Merrill	Sullivan
Campbell (Tuscaloosa)	Fields	Moore	Teel
Cantrell	Fite	Morrow	Thomas
Carr	Glass	Nabors	Turner (Limestone)
Casey	Grouby	NeSmith	Turnham
Cates	Hain	Nettles	Vacca
Collins	Hankins	Owens	Wood

—84

And the bill:

H. 779. Relating to Lee County; authorizing the county to pay the expenses of the sheriff and his deputies incurred in attending approved courses in law enforcement training; giving the Act limited retroactive effect.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bevill	Campbell (Jackson)	Cornett
Albea	Blanton	Campbell (Tuscaloosa)	Crawford
Avery	Boston	Cantrell	Daniel
Bailes	Bowers	Carr	Davis
Baker (DeKalb)	Branyon	Casey	Doggett
Baker (Madison)	Brown (Jefferson)	Cates	Downing
Barnett	Burnham	Collins	Drake
Bassett	Burns	Cook	Edington
Bethea (B)	Camp	Cooper	Edwards (Escambia)

Edwards (Lowndes)	Hester	NeSmith	Salter
Engel	Hogan	Nettles	Scurlock
Etheredge	Holladay	Owens	Smith
Faulk	Jones (Covington)	Paulk	Steagall
Fields	Little	Pennington	Stembridge
Fite	McCorquodale	Perry	Sullivan
Glass	McDermott	Pierce	Teel
Grouby	Mashburn	Posey	Thomas
Hain	Meade	Powell	Turner (Crenshaw)
Hankins	Meeks	Pruitt	Turner (Limestone)
Hannah	Merrill	Rast	Turnham
Harper	Moore	Reynolds	Vacca
Hawkins	Morrow	Rogers	Wood
Heflin	Nabors		

—90

And the bill:

H. 780. To amend Act No. 394, H. 828, Regular Session 1961 (Acts 1961, v. 1, p. 406) in relation to the compensation of the chief deputy and other deputies and assistants of the sheriff of Lee County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Paulk
Albee	Cook	Harper	Pennington
Bailes	Cooper	Hawkins	Perry
Baker (DeKalb)	Cornett	Heflin	Pierce
Baker (Madison)	Crawford	Hester	Posey
Barnett	Daniel	Hogan	Powell
Bassett	Davis	Holladay	Pruitt
Bethea (B)	Doggett	Jones (Covington)	Rast
Bevill	Downing	Jones (Monroe)	Reynolds
Blanton	Drake	Little	Rogers
Boston	Edington	McCorquodale	Salter
Bowers	Edwards (Escambia)	McDermott	Scurlock
Branyon	Edwards (Lowndes)	Martin	Smith
Brown (Jefferson)	Engel	Mashburn	Steagall
Burnham	Etheredge	Meade	Stembridge
Burns	Faulk	Meeks	Sullivan
Camp	Fields	Merrill	Teel
Campbell (Jackson)	Fite	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Morrow	Turner (Crenshaw)
Cantrell	Goodwyn	Nabors	Turner (Limestone)
Carr	Grouby	NeSmith	Turnham
Casey	Hain	Nettles	Vacca
Cates	Hankins	Owens	Wood

—92

And the bill:

H. 781. To provide for the payment of an expense allowance to members of the board of revenue, court of county commissioners or like governing body of Lee County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Pennington
Albea	Collins	Hankins	Perry
Avery	Cook	Hannah	Pierce
Bailes	Cooper	Harper	Posey
Baker (DeKalb)	Cornett	Hawkins	Powell
Baker (Madison)	Crawford	Heflin	Pruitt
Barnett	Daniel	Hester	Rast
Bassett	Davis	Hogan	Reynolds
Bethea (B)	Doggett	Holladay	Rogers
Bevill	Downing	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Boston	Edington	McCorquodale	Smith
Bowers	Edwards (Escambia)	McDermott	Steagall
Branyon	Edwards (Lowndes)	Meade	Stembridge
Brown (Jefferson)	Engel	Meeks	Sullivan
Burnham	Etheredge	Merrill	Teel
Burns	Faulk	Moore	Thomas
Camp	Fields	Nabors	Turner (Grenshaw)
Campbell (Jackson)	Fite	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Nettles	Turnham
Cantrell	Goodwyn	Owens	Vacca
Carr	Grouby	Paulk	Wood
Casey			

—89

And the bill:

H. 788. Relating to municipalities having a mayor-council form of government; further regulating the election, compensation, powers and duties of the mayor in all cities having populations of not less than 70,000 nor more than 120,000 according to the 1960 or any subsequent federal decennial census, and repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Harper	Perry
Albea	Cooper	Hawkins	Pierce
Avery	Cornett	Heflin	Posey
Bailes	Crawford	Hester	Powell
Baker (DeKalb)	Daniel	Hogan	Pruitt
Baker (Madison)	Davis	Holladay	Rast
Barnett	Doggett	Jones (Covington)	Reynolds
Bassett	Downing	Jones (Monroe)	Rogers
Bethea (B)	Drake	Little	Salter
Bevill	Edington	McCorquodale	Scurlock
Blanton	Edwards (Escambia)	McDermott	Sessions
Boston	Edwards (Lowndes)	Meade	Smith
Bowers	Engel	Meeks	Steagall
Branyon	Etheredge	Merrill	Stembridge
Brown (Jefferson)	Faulk	Moore	Sullivan
Burnham	Fite	Morrow	Teel
Camp	Glass	Nabors	Thomas
Campbell (Jackson)	Goodwyn	NeSmith	Turner (Grenshaw)
Campbell (Tuscaloosa)	Grouby	Nettles	Turner (Limestone)
Cantrell	Hain	Owens	Turnham
Carr	Hankins	Paulk	Vacca
Casey	Hannah	Pennington	Wood
Cates			

—89

And the bill:

H. 789. To amend Act No. 395, H. 833, Regular Session 1961 (Acts 1961, v. 1, p. 407), an act providing for the election of the mayor and council in cities having populations of not less than 70,000 nor more than 120,000, in relation to the amount of the qualifying fee required of candidates for mayor or councilman.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Paulk
Albea	Cates	Hannah	Pennington
Avery	Collins	Harper	Pierce
Bailes	Cooper	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Reynolds
Bassett	Davis	Holladay	Rogers
Bethea (B)	Doggett	Jones (Gwinnett)	Salter
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Drake	McCorquodale	Sessions
Boston	Edgington	McDermott	Smith
Bowers	Edwards (Escambia)	Martin	Steagall
Branyon	Edwards (Lowndes)	Meade	Stembridge
Brown (Jefferson)	Engel	Meeks	Sullivan
Burnham	Etheredge	Merrill	Teel
Burns	Faulk	Moore	Thomas
Camp	Fite	Morrow	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Turnham
Cantrell	Grouby	Nettles	Vacca
Carr	Hain	Owens	Wood

—88

And the bill:

H. 790. To amend Act No. 125, S. 29, Special Session 1961, an act providing further for the compensation of circuit court judges in counties having populations of not less than 110,000 nor more than 150,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Blanton	Campbell (Tuscaloosa)	Downing
Albea	Boston	Carr	Drake
Avery	Bowers	Casey	Edgington
Bailes	Branyon	Cates	Edwards (Escambia)
Baker (DeKalb)	Brown (Jefferson)	Collins	Edwards (Lowndes)
Baker (Madison)	Brown (Tuscaloosa)	Cooper	Engel
Barnett	Burnham	Crawford	Etheredge
Bassett	Burns	Daniel	Fields
Bethea (B)	Camp	Davis	Fite
Bevill	Campbell (Jackson)	Doggett	Glass

Hain	McDermott	Paulk	Scurlock
Hankins	Martin	Pennington	Sessions
Hannah	Meade	Perry	Smith
Harper	Meeks	Pierce	Steagall
Hawkins	Merrill	Posey	Stembridge
Heflin	Moore	Powell	Sullivan
Hogan	Morrow	Pruitt	Teel
Holladay	Nabors	Rast	Turner (Crenshaw)
Jones (Covington)	NeSmith	Reynolds	Turnham
Jones (Monroe)	Nettles	Rogers	Vacca
McCorquodale	Owens	Salter	Wood

—84

And the bill:

H. 800. Relating to Marshall County; providing deputies and other assistants for the sheriff and fixing their compensation; repealing conflicting laws.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Hawkins	Perry
Albea	Cates	Heflin	Pierce
Avery	Collins	Hester	Posey
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Cornett	Holladay	Pruitt
Baker (Madison)	Crawford	Jones (Covington)	Rast
Barnett	Daniel	Jones (Monroe)	Reynolds
Bassett	Davis	Little	Rogers
Bethea (B)	Doggett	McCorquodale	Salter
Bevill	Downing	McDermott	Scurlock
Blanton	Drake	Martin	Sessions
Boston	Edington	Meade	Smith
Bowers	Edwards (Escambia)	Meeks	Steagall
Branyon	Edwards (Lowndes)	Merrill	Stembridge
Brown (Jefferson)	Engel	Moore	Sullivan
Burnham	Etheredge	Morrow	Teel
Burns	Faulk	Nabors	Thomas
Camp	Fite	NeSmith	Turner (Crenshaw)
Campbell (Jackson)	Hain	Nettles	Turnham
Campbell (Tuscaloosa)	Hankins	Owens	Vacca
Cantrell	Hannah	Paulk	Wood
Carr	Harper	Pennington	

—87

And the bill:

H. 801. Relating to Marshall County; changing the method of compensating certain county officers; placing such officers on a salary; and providing for their assistants and the office space and equipment necessary for the conduct of their offices.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Owens
Albea	Casey	Hankins	Paulk
Avery	Cates	Hannah	Pennington
Bailes	Collins	Harper	Pierce
Baker (DeKalb)	Cooper	Hawkins	Posey
Baker (Madison)	Cornett	Heflin	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Jones (Covington)	Reynolds
Bevill	Doggett	Jones (Monroe)	Rogers
Blanton	Downing	McCorquodale	Salter
Boston	Drake	McDermott	Scurlock
Bowers	Edington	Martin	Sessions
Branyon	Edwards (Escambia)	Meade	Smith
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Stembridge
Burnham	Engel	Merrill	Sullivan
Burns	Etheredge	Moore	Teel
Camp	Faulk	Morrow	Thomas
Campbell (Jackson)	Fite	Nabors	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	NeSmith	Turnham
Cantrell	Grouby	Nettles	Wood

—84

And the bill:

H. 802. Relating to Marshall County; abolishing the Board of Revenue and Control and creating in lieu thereof the Commission on Government and Finance of Marshall County; providing for the election of the members of the commission, prescribing their qualifications, terms, and compensation; providing for the organization, powers, duties, jurisdiction and function of the commission and the authority and duty of its members; and prescribing penalties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Fields	Meade
Albea	Cantrell	Fite	Meeks
Avery	Carr	Glass	Merrill
Bailes	Casey	Goodwyn	Moore
Baker (DeKalb)	Cates	Grouby	Nabors
Baker (Madison)	Collins	Hain	NeSmith
Barnett	Cooper	Hankins	Nettles
Bassett	Cornett	Hannah	Owens
Bethea (B)	Crawford	Harper	Paulk
Bevill	Daniel	Hawkins	Pennington
Blanton	Davis	Heflin	Pierce
Boston	Doggett	Hester	Posey
Bowers	Downing	Hogan	Powell
Branyon	Drake	Holladay	Pruitt
Brown (Jefferson)	Edington	Jones (Covington)	Reynolds
Brown (Tuscaloosa)	Edwards (Escambia)	Jones (Monroe)	Rogers
Burnham	Edwards (Lowndes)	Locke	Salter
Burns	Engel	McCorquodale	Scurlock
Camp	Etheredge	McDermott	Sessions
Campbell (Jackson)	Faulk	Martin	Smith

Steagall
Stembridge
Sullivan

Teel
Thomas

Turner (Greshaw)
Turnham

Vacca
Wood

—89

And the bill:

H. 803. To prohibit the taking of fish from the public waters of Marshall County with certain commercial fishing gear during certain months; and prescribing penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Nettles
Albea	Carr	Hain	Owens
Avery	Cates	Hankins	Paulk
Bailes	Casey	Hannah	Pennington
Baker (DeKalb)	Collins	Harper	Pierce
Baker (Madison)	Cook	Hawkins	Posey
Barnett	Cooper	Heflin	Powell
Bassett	Cornett	Hogan	Pruitt
Bethea (B)	Crawford	Holladay	Reynolds
Bevill	Davis	Jones (Covington)	Rogers
Blanton	Doggett	Jones (Monroe)	Salter
Bolton	Downing	Locke	Scurlock
Boston	Drake	McCorquodale	Sessions
Bowers	Edington	McDermott	Smith
Branyon	Edwards (Escambia)	Martin	Steagall
Brown (Jefferson)	Engel	Meade	Stembridge
Brown (Tuscaloosa)	Etheredge	Meeks	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Moore	Thomas
Camp	Fite	Morrow	Turnham
Campbell (Jackson)	Glass	Nabors	Vacca
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Wood

—89

And the bill:

H. 820. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 21, 22, 27 and 28, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bethea (B)	Brown (Tuscaloosa)	Casey
Albea	Bevill	Burnham	Cates
Avery	Blanton	Burns	Collins
Bailes	Bolton	Camp	Cook
Baker (DeKalb)	Boston	Campbell (Jackson)	Cooper
Baker (Madison)	Bowers	Campbell (Tuscaloosa)	Cornett
Barnett	Branyon	Cantrell	Crawford
Bassett	Brown (Jefferson)	Carr	Daniel

Davis	Hain	Meeks	Rogers
Doggett	Hankins	Merrill	Salter
Dominick	Hannah	Moore	Scurlock
Downing	Harper	NeSmith	Sessions
Drake	Hawkins	Nettles	Smith
Edington	Heflin	Owens	Steagall
Edwards (Escambia)	Hogan	Paulk	Stembridge
Engel	Holladay	Pennington	Sullivan
Etheredge	Jones (Covington)	Perry	Teel
Faulk	Jones (Monroe)	Pierce	Thomas
Fields	Locke	Posey	Turner (Limestone)
Fite	McCorquodale	Powell	Turnham
Gilmore	McDermott	Pruitt	Vacca
Glass	Martin	Rast	Wood
Grouby	Meade	Reynolds	

—91

And the bill:

H. 833. To amend further Section 1 of Act No. 64, H. 259, Regular Session 1947 (Local Acts 1947, p. 45), an act providing for the appointment of a deputy clerk for the circuit court of Morgan County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cates	Hankins	Pennington
Avery	Collins	Hannah	Pierce
Bailes	Cooper	Harper	Posey
Baker (DeKalb)	Cornett	Hawkins	Powell
Baker (Madison)	Crawford	Heflin	Pruitt
Barnett	Daniel	Hester	Rast
Bassett	Davis	Hogan	Reynolds
Bethea (B)	Doggett	Holladay	Rogers
Bevill	Dominick	Jones (Covington)	Salter
Blanton	Downing	Jones (Monroe)	Scurlock
Bolton	Drake	Locke	Sessions
Boston	Edington	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Engel	Martin	Stembridge
Brown (Jefferson)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Thomas
Camp	Fite	Moore	Turner (Limestone)
Campbell (Jackson)	Gilmore	NeSmith	Turnham
Campbell (Tuscaloosa)	Glass	Nettles	Vacca
Cantrell	Grouby	Owens	Wood
Carr			

—90

And the bill:

H. 834. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Paulk
Albea	Collins	Hankins	Pennington
Avery	Cooper	Hannah	Posey
Bailes	Cornett	Harper	Powell
Baker (DeKalb)	Crawford	Hawkins	Pruitt
Baker (Madison)	Daniel	Heflin	Rast
Barnett	Davis	Hester	Reynolds
Bassett	Doggett	Hogan	Rogers
Bevill	Dominick	Holladay	Salter
Blanton	Downing	Jones (Covington)	Scurlock
Boston	Drake	Jones (Monroe)	Sessions
Bowers	Edington	Locke	Smith
Branyon	Edwards (Escambia)	McCorquodale	Steagall
Brown (Jefferson)	Edwards (Lowndes)	McDermott	Stembridge
Burnham	Engel	Martin	Sullivan
Burns	Etheredge	Meade	Teel
Camp	Faulk	Meeks	Thomas
Campbell (Jackson)	Fields	Merrill	Turner (Limestone)
Campbell (Tuscaloosa)	Fite	Moore	Turnham
Cantrell	Gilmore	NeSmith	Vacca
Carr	Glass	Nettles	Wood
Casey	Grouby	Owens	

—87

And the bill:

H. 835. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Collins	Hannah	Pennington
Avery	Cooper	Harper	Pierce
Bailes	Cornett	Hawkins	Posey
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Davis	Hogan	Rast
Bethea (B)	Doggett	Holladay	Reynolds
Bevill	Dominick	Jones (Covington)	Rogers
Blanton	Downing	Jones (Monroe)	Salter
Bowers	Drake	Little	Scurlock
Branyon	Edington	McCorquodale	Sessions
Brown (Jefferson)	Edwards (Escambia)	McDermott	Smith
Brown (Tuscaloosa)	Edwards (Lowndes)	Martin	Steagall
Burnham	Engel	Meade	Stembridge
Burns	Etheredge	Meeks	Sullivan
Camp	Fields	Merrill	Teel
Campbell (Jackson)	Fite	Moore	Thomas
Campbell (Tuscaloosa)	Gilmore	Morrow	Turner (Limestone)
Cantrell	Glass	NeSmith	Turnham
Carr	Grouby	Nettles	Vacca
Casey	Hain	Owens	Wood

—88

And the bill:

H. 836. To amend further Section 1 of Act No. 68, H. 263, Regular Session 1947 (Local Acts 1947, p. 51), an act providing for the appointment of a deputy register for the circuit court of Morgan County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Albea	Cornett	Harper	Pierce
Avery	Crawford	Hawkins	Posey
Bailes	Daniel	Heflin	Powell
Baker (Madison)	Davis	Hester	Pruitt
Barnett	Doggett	Hogan	Rast
Bassett	Dominick	Holladay	Reynolds
Bethea (B)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edwards (Escambia)	Little	Scurlock
Boston	Edwards (Lowndes)	Locke	Sessions
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Martin	Steagall
Brown (Jefferson)	Faulk	Mcade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Camp	Gilmore	Moore	Thomas
Campbell (Jackson)	Glass	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Nettles	Turnham
Cantrell	Hain	Owens	Vacca
Cates	Hankins	Paulk	Wood
Collins			

—85

And the bill:

H. 839. To apply only in Shelby County; regulating further the taking of fish from public streams and impounded waters; authorizing the taking of catfish by the use of baskets or nets including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cooper	Edwards (Lowndes)
Albea	Branyon	Cornett	Engel
Avery	Brown (Jefferson)	Crawford	Etheredge
Bailes	Burnham	Daniel	Faulk
Baker (Madison)	Burns	Davis	Fields
Barnett	Camp	Doggett	Fite
Bassett	Campbell (Jackson)	Dominick	Gilmore
Bethea (B)	Campbell (Tuscaloosa)	Downing	Glass
Bevill	Cantrell	Drake	Goodwyn
Blanton	Casey	Edgington	Grouby
Boston	Cates	Edwards (Escambia)	Hain

Hankins	McCorquodale	Pennington	Smith
Hannah	McDermott	Perry	Steagall
Harper	Martin	Posey	Stembridge
Hawkins	Meade	Powell	Sullivan
Heflin	Meeks	Pruitt	Teel
Hester	Merrill	Rast	Thomas
Hogan	Moore	Reynolds	Turner (Limestone)
Holladay	NeSmith	Rogers	Turnham
Jones (Covington)	Nettles	Salter	Vacca
Jones (Monroe)	Owens	Scurlock	Wood
Locke	Paulk	Sessions	

—87

And the bill:

H. 840. To amend further Act No. 479, H. 1079, Regular Session 1959 (1959 Acts, p. 1198), an Act establishing the Law and Equity Court for Shelby County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Perry
Albea	Cornett	Hawkins	Pierce
Avery	Crawford	Heflin	Posey
Bailes	Daniel	Hester	Powell
Baker (Madison)	Davis	Hogan	Pruitt
Barnett	Doggett	Holladay	Reynolds
Bassett	Dominick	Jones (Covington)	Rogers
Bethea (B)	Downing	Jones (Monroe)	Salter
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Sessions
Boston	Edwards (Escambia)	McCorquodale	Smith
Bowers	Edwards (Lowndes)	McDermott	Steagall
Branyon	Engel	Martin	Stembridge
Brown (Jefferson)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Camp	Fite	Merrill	Thomas
Campbell (Jackson)	Gilmore	Moore	Turner (Crenshaw)
Campbell (Yuscaloosa)	Glass	NeSmith	Turner (Limestone)
Cantrell	Grouby	Nettles	Turnham
Casey	Hain	Owens	Vacca
Cates	Hankins	Paulk	Wood
Collins	Hannah	Pennington	

—87

And the bill:

H. 841. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in Shelby County; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Pierce
Albea	Cooper	Hannah	Perry
Avery	Cornett	Harper	Posey
Bailes	Crawford	Hawkins	Powell
Baker (Madison)	Daniel	Heflin	Pruitt
Barnett	Davis	Hogan	Reynolds
Bassett	Doggett	Holladay	Rogers
Bethea (B)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Boston	Edgington	Little	Sessions
Bowers	Edwards (Escambia)	Locke	Smith
Branyon	Edwards (Lowndes)	McCorquodale	Steagall
Brown (Jefferson)	Engel	McDermott	Stembridge
Burnham	Etheredge	Meade	Sullivan
Burns	Faulk	Meeks	Teel
Camp	Fite	Merrill	Thomas
Campbell (Jackson)	Gilmore	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	NeSmith	Turner (Limestone)
Cantrell	Goodwyn	Nettles	Turnham
Casey	Grouby	Owens	Vacca
Cates	Hain	Paulk	Wood

—84

And the bill:

H. 842. To provide that no municipality whose corporate limits do not lie within or extend into and embrace and include a portion of Shelby County shall have or exercise police jurisdiction within Shelby County; nor shall any such municipality exercise police jurisdiction, police powers or taxing powers within Shelby County or over or on any person in Shelby County or property or business or trade or profession in Shelby County; nor shall any such municipality levy, fix or collect any license or fee of any kind on or for the exercise of any business, trade or profession done in Shelby County; nor shall any ordinance of any such municipality enforcing police or sanitation regulations or prescribing fines or penalties for violation thereof have force or effect in Shelby County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Camp	Edwards (Lowndes)	McDermott
Albea	Campbell (Jackson)	Engel	Martin
Avery	Campbell (Tuscaloosa)	Etheredge	Meeks
Bailes	Cantrell	Fite	Merrill
Baker (Madison)	Carr	Gilmore	Moore
Barnett	Casey	Hain	NeSmith
Bassett	Cates	Hankins	Nettles
Bethea (B)	Collins	Hannah	Owens
Bevill	Cooper	Harper	Paulk
Blanton	Cornett	Hawkins	Perry
Boston	Crawford	Heflin	Posey
Bowers	Daniel	Hogan	Powell
Branyon	Davis	Holladay	Pruitt
Brown (Jefferson)	Downing	Jones (Covington)	Reynolds
Brown (Tuscaloosa)	Drake	Jones (Monroe)	Rogers
Burnham	Edgington	Locke	Salter
Burns	Edwards (Escambia)	McCorquodale	Scurlock

Sessions	Stembridge	Thomas	Turnham
Smith	Sullivan	Turner (Crenshaw)	Vacca
Steagall	Teel	Turner (Limestone)	Young

—81

And the bill:

H. 843. To alter and rearrange the boundaries of the Town of Alabaster, and extend the corporate limits of the municipality, making the act effective upon approval of the qualified electors of the territory to be annexed, and providing for a referendum on the proposition.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Carr	Hankins	Pennington
Albea	Casey	Hannah	Perry
Avery	Cates	Harper	Pierce
Bailes	Collins	Hawkins	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Baker (Madison)	Cornett	Hester	Pruitt
Barnett	Crawford	Hogan	Reynolds
Bassett	Daniel	Holladay	Rogers
Bethea (B)	Davis	Jones (Covington)	Salter
Bevill	Doggett	Jones (Monroe)	Sessions
Blanton	Downing	Little	Smith
Boston	Drake	Locke	Steagall
Bowers	Edington	McCorquodale	Stembridge
Branyon	Edwards (Escambia)	McDermott	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Meade	Teel
Brown (Tuscaloosa)	Engel	Meeks	Thomas
Burnham	Etheredge	Merrill	Turner (Limestone)
Burns	Faulk	Moore	Turnham
Camp	Fite	NeSmith	Vacca
Campbell (Jackson)	Gilmore	Nettles	Wood
Campbell (Tuscaloosa)	Grouby	Owens	Young
Cantrell	Hain	Paulk	

—87

And the bill:

H. 844. To alter, rearrange and extend the boundaries of the town of Alabaster, Shelby County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bassett	Burnham	Cates
Albea	Bethea (B)	Burns	Collins
Avery	Blanton	Camp	Cooper
Bailes	Boston	Campbell (Jackson)	Cornett
Baker (DeKalb)	Bowers	Campbell (Tuscaloosa)	Crawford
Baker (Madison)	Branyon	Cantrell	Daniel
Barnett	Brown (Jefferson)	Carr	Davis

Doggett	Hannah	Moore	Rogers
Dominick	Harper	Nabors	Salter
Downing	Hawkins	NeSmith	Sessions
Drake	Heflin	Nettles	Smith
Edington	Hester	Owens	Steagall
Edwards (Escambia)	Hogan	Paulk	Stembridge
Edwards (Lowndes)	Holladay	Pennington	Sullivan
Engel	Jones (Covington)	Perry	Teel
Etheredge	Little	Pierce	Thomas
Faulk	Locke	Posey	Turner (Limestone)
Fite	McDermott	Powell	Turnham
Gilmore	Meade	Pruitt	Vacca
Grouby	Meeks	Rast	Wood
Hain	Merrill	Reynolds	Young
Hankins			

—85

And the bill:

H. 846. Relating to Sumter County; providing for condemnation of any motor vehicle, gun, rifle, or other hunting equipment of persons convicted of night hunting in the county and providing for the disposition of the proceeds of the sale thereof.

Was taken up.

Mr. Pruitt offered the following substitute for the bill, H. 846:

Substitute for H. B. 846:

A BILL
TO BE ENTITLED
AN ACT

Relating to Sumter County; declaring motor vehicles, guns, rifles, ammunition and hunting equipment used in illegal nighttime deer hunting in the county to be contraband; and providing for the condemnation and sale thereof for the benefit of the state conservation fund.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any motor vehicle, or any gun, rifle, ammunition, or other hunting equipment which has been or is used for illegal nighttime deer hunting in Sumter County shall be contraband, and, in the discretion of the circuit court of such county, may be forfeited to the State of Alabama, as hereinafter provided.

Section 2. The sheriff or any other person authorized to enforce the game and fish laws of this state who apprehends any person hunting deer in Sumter County in the nighttime, or who finds any vehicle which is being or has been used in such illegal nighttime hunting shall seize such vehicle and any gun, rifle, ammunition or other deer hunting equipment found in the possession of or on the person of such person or in or on such vehicle and shall report such seizure and the facts connected therewith to the solicitor or other prosecuting official in the county. The report shall contain a full description of the vehicle or other equipment seized and detained, the name of the person in whose possession it was found, the name of the person making claim to the same, or any interest therein, if the name is known or can be ascertained, the date of seizure, and a statement of the circumstances surrounding the seizing of the property.

Section 3. The solicitor or other prosecuting officer of the county

upon receiving such report shall at once institute, or cause to be instituted, condemnation proceeding in the circuit court of Sumter County in equity, in the same manner that he is directed by law to institute proceedings for the condemnation and forfeiture of automobiles and other vehicles used in the illegal transportation of alcoholic beverages. Except as herein otherwise provided, the procedures for the condemnation, forfeiture and sale of motor vehicles and hunting equipment under this Act shall be governed in all things by and shall conform to the law relative to proceedings for the condemnation, forfeiture, and sale of vehicles used in the illegal transportation of alcoholic beverages. Without limiting the generality of the foregoing sentence the provisions of Code of Alabama 1940, Title 29, Sections 248 and 249, shall apply to and govern all such proceedings.

Section 4. In order to condemn and confiscate any of the property set out in Section 1 it shall not be necessary for the solicitor or other prosecuting authority to prove possession of deer killed in the county while hunting in the nighttime or that the hunter be apprehended in the actual act of killing deer; but it shall be sufficient to prove possession upon the person or in the motor vehicle of a gun, rifle, ammunition and other equipment at such time and place and under such circumstances as would support a conviction for illegally hunting deer in the nighttime.

Section 5. The proceeds of the sale of any property condemned and forfeited to the state under authority of this Act, after payment of all expenses in the cause, including the cost of seizure and a keeping of the property pending the proceedings, shall be paid into the state treasury to the credit of the state conservation fund.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 8. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Campbell (Jackson)	Fite	Martin
Albea	Cantrell	Gilmore	Meade
Avery	Carr	Glass	Meeks
Bailes	Casey	Grouby	Merrill
Baker (DeKalb)	Cates	Hain	Moore
Baker (Madison)	Collins	Hankins	Nabors
Barnett	Cooper	Hannah	NeSmith
Bassett	Cornett	Harper	Nettles
Bethea (B)	Crawford	Hawkins	Owens
Blanton	Daniel	Heflin	Paulk
Boston	Davis	Hester	Perry
Bowers	Doggett	Hogan	Pierce
Branyon	Downing	Holladay	Posey
Brown (Jefferson)	Drake	Jones (Covington)	Powell
Brown (Tuscaloosa)	Edgington	Jones (Monroe)	Pruitt
Burnham	Edwards (Escambia)	Locke	Rast
Burns	Edwards (Lowndes)	McCorquodale	Reynolds
Camp	Engel	McDermott	Rogers

Salter
Sessions
Smith
Steagall

Stembridge
Sullivan
Teel

Thomas
Turner (Limestone)
Turnham

Vacca
Wood
Young

—85

And said bill, H. 846, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Davis	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Downing	Jones (Covington)	Rast
Bassett	Drake	Jones (Monroe)	Reynolds
Bethea (B)	Edgington	Little	Rogers
Blanton	Edwards (Escambia)	Locke	Salter
Boston	Edwards (Lowndes)	McCorquodale	Sessions
Bowers	Engel	McDermott	Smith
Branyon	Etheredge	Martin	Steagall
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Burns	Fite	Merrill	Teel
Camp	Gilmore	Moore	Thomas
Campbell (Jackson)	Glass	Nabors	Turner (Limestone)
Cantrell	Grouby	NeSmith	Turnham
Carr	Hain	Nettles	Vacca
Casey	Hankins	Owens	Wood
Cates	Hannah	Paulk	Young
Collins			

—89

And the bill:

H. 847. To alter and rearrange the boundaries of the town of Livingston, Sumter County.

Was taken up.

Mr. Pruitt offered the following substitute for the bill, H. 847:

Substitute for H. B. 847:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the town of Livingston, Sumter County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The town boundaries and corporate limits of the town of Livingston, Sumter County, are hereby altered, rearranged, described, and fixed, as follows:

Begin at the SW corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 22 Township 19N Range 2 West, run thence East along the $\frac{1}{4}$ Section Line to the SW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 22, Township 19N Range 2 West, thence run South along the $\frac{1}{4}$ Section Line of Sections 22, 27, and 34 to the SW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run East along the $\frac{1}{4}$ section line to the SE corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run South along the Section Line to the SE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run west along the $\frac{1}{2}$ Section Line to the SW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run South along the $\frac{1}{2}$ Section Line to the SW corner of the NW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run West along the $\frac{1}{4}$ Section Line of Section 34 to the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run North along the Section Line to the SW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 34, Township 19N, Range 2 West, thence run West along the $\frac{1}{2}$ Section Line of Section 33 until said line intersects with the low water mark of the Sucarnoochee River, thence follow the meandering course of the low water mark of the Sucarnoochee River in a Northerly direction until the East Line of Fraction "A" of Section 28, Township 19N, Range 2 West intersects the low water mark of the said Sucarnoochee River, thence run North along the $\frac{1}{4}$ Section Line to the North Section Line of Section 28, Township 19N., Range 2 West, thence East along said North Section Line to the NE corner of Section 28, Township 19N, Range 2 West, thence N along the West Section Line of Section 22, Township 19N, Range 2 West to the Point of Beginning.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Davis	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Dominick	Jones (Covington)	Rast
Bassett	Downing	Jones (Monroe)	Reynolds
Bethea (B)	Drake	Little	Rogers
Blanton	Edgington	Locke	Salter
Boston	Edwards (Escambia)	McCorquodale	Scurlock
Branyon	Edwards (Lowndes)	McDermott	Sessions
Brown (Jefferson)	Engel	Martin	Smith
Burnham	Etheredge	Meade	Steagall
Burns	Faulk	Meeks	Stembridge
Camp	Fields	Merrill	Sullivan
Campbell (Jackson)	Gilmore	Moore	Teel
Campbell (Tuscaloosa)	Glass	Nabors	Thomas
Cantrell	Grouby	NeSmith	Turner (Limestone)
Carr	Hain	Nettles	Turnham
Casey	Hankins	Owens	Vacca
Cates	Hannah	Paulk	Wood
Collins			

And said bill, H. 847, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Davis	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Dominick	Jones (Covington)	Rast
Bassett	Downing	Jones (Monroe)	Reynolds
Bethea (B)	Drake	Little	Rogers
Blanton	Edington	Locke	Salter
Boston	Edwards (Escambia)	McCorquodale	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Steagall
Brown (Jefferson)	Etheredge	Mashburn	Stembridge
Burnham	Faulk	Meade	Sullivan
Burns	Fields	Meeks	Teel
Camp	Fite	Merrill	Thomas
Campbell (Jackson)	Gilmore	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Nabors	Turner (Limestone)
Cantrell	Grouby	NeSmith	Turnham
Carr	Hain	Nettles	Vacca
Casey	Hankins	Owens	Wood
Cates	Hannah	Paulk	Young
Collins			

—93

And the bill:

H. 534. To amend further Code of Alabama, Title 7, Section 713, in relation to newspaper publication of legal advertisements.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Camp	Edington	Holladay
Albea	Campbell (Tuscaloosa)	Edwards (Escambia)	Jones (Covington)
Avery	Cantrell	Edwards (Lowndes)	Jones (Monroe)
Bailes	Casey	Engel	Locke
Baker (DeKalb)	Cates	Faulk	McCorquodale
Baker (Madison)	Collins	Fields	McDermott
Barnett	Cook	Fite	Martin
Bassett	Cooper	Gilmore	Mashburn
Bethea (B)	Crawford	Glass	Merrill
Blanton	Daniel	Hain	Moore
Boston	Davis	Hankins	Nabors
Bowers	Doggett	Harper	NeSmith
Brown (Jefferson)	Dominick	Heflin	Nettles
Burnham	Downing	Hester	Owens
Burns	Drake	Hogan	Paulk

Pennington	Pruitt	Steagall	Turner (Limestone)
Perry	Rogers	Stembridge	Turnham
Pierce	Scurlock	Sullivan	Vacca
Posey	Sessions	Teel	Wood
Powell	Smith		

—78

And the bill:

S. 242. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Pennington
Albea	Cates	Hankins	Perry
Avery	Collins	Hannah	Pierce
Bailes	Cook	Harper	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Holladay	Reynolds
Bethea (B)	Doggett	Jones (Covington)	Rogers
Bevill	Downing	Jones (Monroe)	Salter
Blanton	Drake	Locke	Scurlock
Boston	Edgington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Burnham	Etheredge	Merrill	Sullivan
Burns	Faulk	Nabors	Teel
Callahan	Fields	NeSmith	Turner (Limestone)
Camp	Fite	Nettles	Turnham
Campbell (Jackson)	Gilmore	Owens	Vacca
Campbell (Tuscaloosa)	Glass	Paulk	Wood

—84

And the bill:

H. 850. Relating to Pike County. To repeal Act No. 147 approved July 19, 1955, authorizing the Court of County Commissioners of Pike County to provide a clerk for the Deputy Solicitor for Pike County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Pennington
Albea	Cates	Hannah	Perry
Avery	Collins	Harper	Pierce
Bailes	Cook	Heflin	Posey
Baker (DeKalb)	Cooper	Hester	Powell
Baker (Madison)	Crawford	Hogan	Pruitt
Barnett	Daniel	Holladay	Rast
Bassett	Davis	Jones (Covington)	Reynolds
Bethea (B)	Doggett	Jones (Monroe)	Rogers
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McCorquodale	Sessions
Boston	Edington	McDermott	Smith
Bowers	Edwards (Escambia)	Martin	Steagall
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Jefferson)	Engel	Merrill	Sullivan
Brown (Tuscaloosa)	Faulk	Nabors	Teel
Burnham	Fields	NeSmith	Turner (Limestone)
Burns	Fite	Nettles	Turnham
Camp	Gilmore	Owens	Vacca
Campbell (Jackson)	Glass	Paulk	Wood
Campbell (Tuscaloosa)	Hain		

—82

And the bill:

H. 856. Relating to counties having populations of not less than 15,300 nor more than 15,400; providing further for the conservation of game and fish; authorizing the director of conservation to appoint unsalaried deputy game and fish wardens for such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Fields	Morrow
Albea	Carr	Fite	Nabors
Avery	Casey	Gilmore	NeSmith
Bailes	Cates	Glass	Nettles
Baker (Madison)	Collins	Hain	Owens
Barnett	Cook	Hankins	Paulk
Bassett	Cooper	Hannah	Pennington
Bethea (B)	Crawford	Harper	Perry
Bevill	Daniel	Heflin	Pierce
Blanton	Davis	Hester	Posey
Boston	Doggett	Holladay	Powell
Bowers	Downing	Jones (Covington)	Pruitt
Branyon	Drake	Jones (Monroe)	Rast
Brown (Jefferson)	Edington	Locke	Reynolds
Burnham	Edwards (Escambia)	McCorquodale	Rogers
Burns	Edwards (Lowndes)	McDermott	Salter
Camp	Engel	Mashburn	Scurlock
Campbell (Jackson)	Faulk	Merrill	Sessions

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Smith	Sullivan	Turner (Limestone)	Vacca
Steagall	Teel	Turnham	Wood
Stembridge	Turner (Crenshaw)		

—82

And the bill:

H. 857. To authorize the governing body of any county having a population of not less than 15,300 nor more than 15,400 to appropriate county funds to municipal industrial development boards within or without the county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Pierce
Albea	Collins	Hannah	Posey
Avery	Cook	Harper	Powell
Bailes	Cooper	Heflin	Pruitt
Baker (DeKalb)	Cornett	Hester	Rast
Baker (Madison)	Crawford	Hogan	Reynolds
Barnett	Daniel	Holladay	Rogers
Bassett	Davis	Jones (Covington)	Salter
Bethea (B)	Doggett	Jones (Monroe)	Scurlock
Bevill	Downing	Locke	Sessions
Blanton	Drake	McCorquodale	Smith
Boston	Edington	McDermott	Steagall
Bowers	Edwards (Escambia)	Martin	Stembridge
Branyon	Edwards (Lowndes)	Merrill	Sullivan
Brown (Jefferson)	Engel	Morrow	Teel
Burnham	Faulk	NeSmith	Turner (Crenshaw)
Camp	Fite	Nettles	Turner (Limestone)
Campbell (Jackson)	Gilmore	Owens	Turnham
Campbell (Tuscaloosa)	Glass	Pennington	Vacca
Casey	Hain	Perry	Wood

—80

H. 858 POSTPONED

On motion of Mr. Nettles, consideration of the bill, H. 858, was postponed until the next legislative day.

And the bill:

S. 258. For the relief of W. O. Cobb of Madison County, authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate W. O. Cobb for certain damages.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bethea (B)	Boston
Albea	Baker (Madison)	Bevill	Bowers
Avery	Barnett	Blanton	Branyon
Bailes	Bassett	Bolton	Brown (Jefferson)

Burnham	Edington	Jones (Monroe)	Pruitt
Burns	Edwards (Escambia)	Locke	Rast
Camp	Edwards (Lowndes)	McDermott	Reynolds
Campbell (Jackson)	Engel	Martin	Rogers
Campbell (Tuscaloosa)	Faulk	Mashburn	Scurlock
Casey	Fields	Merrill	Sessions
Cates	Fite	Nabors	Smith
Collins	Glass	NeSmith	Steagall
Cook	Hain	Nettles	Stembridge
Cooper	Hankins	Owens	Sullivan
Crawford	Hannah	Paulk	Teel
Daniel	Harper	Pennington	Turner (Limestone)
Davis	Heflin	Pierce	Turnham
Doggett	Hogan	Posey	Vacca
Downing	Jones (Covington)	Powell	Wood
Drake			

—77

And the bill:

S. 259. For the relief of H. E. McBride of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to appropriate county funds for such purpose.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Pennington
Albea	Cook	Hannah	Perry
Avery	Cooper	Harper	Pierce
Bailes	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hester	Powell
Baker (Madison)	Davis	Hogan	Pruitt
Barnett	Doggett	Jones (Covington)	Rast
Bassett	Downing	Jones (Monroe)	Reynolds
Bethea (B)	Drake	Little	Rogers
Bevill	Edington	Locke	Salter
Blanton	Edwards (Escambia)	McCorquodale	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Burnham	Faulk	Merrill	Stembridge
Burns	Fields	Nabors	Sullivan
Camp	Fite	NeSmith	Teel
Campbell (Jackson)	Gilmore	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Owens	Vacca
Casey	Grouby	Paulk	Wood
Cates	Hain		

—82

And the bill:

S. 260. For the relief of Sammy White of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Sammy White for certain damages.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cates	Hain	Perry
Albea	Collins	Hannah	Pierce
Avery	Cooper	Harper	Posey
Bailes	Crawford	Heflin	Powell
Baker (DeKalb)	Daniel	Hester	Rast
Baker (Madison)	Davis	Hogan	Reynolds
Barnett	Doggett	Jones (Covington)	Rogers
Bassett	Downing	Jones (Monroe)	Salter
Bethea (B)	Drake	Locke	Scurlock
Blanton	Edgington	McDermott	Sessions
Boston	Edwards (Lowndes)	Martin	Smith
Bowers	Engel	Mashburn	Steagall
Branyon	Etheredge	Merrill	Stembridge
Brown (Jefferson)	Faulk	Nabors	Sullivan
Burnham	Fields	NeSmith	Teel
Burns	Fite	Nettles	Turner (Crenshaw)
Camp	Gilmore	Owens	Turner (Limestone)
Campbell (Jackson)	Glass	Paulk	Vacca
Campbell (Tuscaloosa)	Grouby	Pennington	Wood
Casey			

—77

And the bill:

H. 764. To propose and provide for the submission of an amendment to the Constitution of Alabama of 1901, to authorize and empower the Legislature by general or local laws to fix, regulate, and change the jurisdiction of any or all inferior courts established in lieu of Justices of the Peace in Jefferson County, in all civil cases so long as the amount in controversy does not exceed five hundred dollars, except in cases of libel, slander, assault and battery, and ejection; and to ratify, validate, and confirm all acts of the Legislature, whether general or local, providing for such change in jurisdiction prior to the adoption of this amendment, and all judgments of such courts rendered pursuant to such acts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Camp	Engel	Jones (Monroe)
Albea	Campbell (Jackson)	Etheredge	McCorquodale
Avery	Campbell (Tuscaloosa)	Faulk	McDermott
Bailes	Casey	Fields	Martin
Baker (DeKalb)	Cates	Fite	Mashburn
Baker (Madison)	Collins	Gilmore	Meeks
Barnett	Cook	Glass	Merrill
Bassett	Cooper	Goodwyn	Morrow
Bethea (B)	Crawford	Grouby	Nabors
Bevill	Daniel	Hain	NeSmith
Blanton	Davis	Hannah	Nettles
Bolton	Doggett	Harper	Owens
Boston	Dominick	Heflin	Paulk
Bowers	Downing	Hester	Pennington
Branyon	Edgington	Hogan	Perry
Brown (Jefferson)	Edwards (Escambia)	Holladay	Pierce
Burnham	Edwards (Lowndes)	Jones (Covington)	Posey

Powell
Rast
Reynolds
Rogers

Salter
Sessions
Smith
Steagall

Stembridge
Sullivan
Teel
Turner (Limestone)

Turnham
Vacca
Wood

—83

And the bill:

H. 765. To require the payment to the Sheriff of Jefferson County, Alabama, of a fee of Five Dollars (\$5.00) for each pistol permit issued by him; to provide that the Sheriff shall pay the said Five Dollars (\$5.00) to the County Treasurer; to provide that the County Treasurer shall deposit Fifty Cents (50c) of said fee in the General Fund of the County and shall pay Four Dollars and Fifty Cents (\$4.50) of said fee to the Fund of the Retirement System for County Employees of Jefferson County established by Act No. 551 of the Legislature of Alabama of 1953, approved September 9, 1953, (Acts of Alabama, 1953, pages 766, et seq.) so long as the benefits paid under said Act No. 551 are less than the benefits provided for by the schedule of specific benefits stated in said Act; to provide that when the aforesaid Four Dollars and Fifty Cents (\$4.50) of said fee is not paid the said Fund established by Act No. 551 the said Four Dollars and Fifty Cents (\$4.50) shall be paid to the Fund of the Retirement System for County Employees established by Act No. 843 of the Legislature of Alabama of 1961, approved September 8, 1961, (Acts of Alabama of 1961, pages 1250, et seq.); to provide that the collection of said fee shall not commence until Act No. 343 of the Legislature of Alabama of 1953, approved August 7, 1953, (Acts of Alabama of 1953, page 404, et seq.) has been repealed; and to repeal all laws and parts of laws in conflict with this Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker
Albea
Avery
Bailes
Baker (DeKalb)
Baker (Madison)
Barnett
Bassett
Bethea (B)
Bethea (M)
Bevill
Blanton
Bolton
Boston
Bowers
Branyon
Brown (Jefferson)
Burnham
Camp
Campbell (Jackson)
Campbell (Tuscaloosa)
Casey

Cates
Collins
Cooper
Cornett
Crawford
Daniel
Davis
Doggett
Dominick
Downing
Drake
Edington
Edwards (Escambia)
Edwards (Lowndes)
Engel
Etheredge
Faulk
Fields
Fite
Gilmore
Glass
Goodwyn

Grouby
Hain
Hannah
Harper
Hefflin
Hester
Hogan
Holladay
Jones (Covington)
Jones (Monroe)
Locke
McCorquodale
McDermott
Martin
Mashburn
Meade
Meeks
Merrill
Morrow
Nabors
NeSmith

Nettles
Owens
Paulk
Pennington
Perry
Pierce
Posey
Powell
Rast
Reynolds
Rogers
Salter
Scurlock
Smith
Steagall
Stembridge
Sullivan
Teel
Turner (Limestone)
Vacca
Wood

—86

And the bill:

H. 766. To repeal Act No. 343 of the Legislature of Alabama of 1953, approved August 17, 1953 (Acts of Alabama of 1953, page 404, et seq.), and any other Act of the Legislature establishing or providing for any supplemental Retirement Fund for Deputy Sheriffs and other persons employed by the Sheriff in Counties having a population of 400,000 or more according to the last or any future Federal Census, to provide for the liquidation and distribution of any such supplemental retirement fund, to provide for securing in said liquidation and distribution the payment of benefits due or to become due under any such Act and to provide that any surplus in such Fund shall be paid into the Fund of the Pension System of the General Employees of the County to which system the said Deputy Sheriffs and other Employees belonged prior to retirement.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cates	Grouby	Nettles
Albea	Collins	Hain	Owens
Avery	Cooper	Hannah	Paulk
Bailes	Cornett	Harper	Pennington
Baker (DeKalb)	Crawford	Heflin	Pierce
Baker (Madison)	Daniel	Hester	Posey
Barnett	Davis	Hogan	Powell
Bassett	Doggett	Holladay	Rast
Bethea (B)	Dominick	Jones (Covington)	Reynolds
Bethea (M)	Downing	Jones (Monroe)	Rogers
Bevill	Drake	Locke	Salter
Blanton	Edgington	McCorquodale	Scurlock
Boston	Edwards (Escambia)	McDermott	Sessions
Bowers	Edwards (Lowndes)	Martin	Smith
Branyon	Engel	Mashburn	Steagall
Brown (Jefferson)	Faulk	Meade	Stembridge
Burnham	Fields	Meeks	Sullivan
Camp	Fite	Merrill	Teel
Campbell (Jackson)	Gilmore	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Nabors	Vacca
Casey	Goodwyn	NeSmith	Wood

—85

And the bill:

H. 767. To apply in those counties having a population of not less than 500,000 according to the latest or any subsequent Federal decennial census and to further provide for municipal tax assessments for property annexed to municipalities in such counties, and in newly incorporated areas.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Barnett	Blanton	Burnham
Albea	Bassett	Boston	Camp
Avery	Bethea (B)	Bowers	Campbell (Jackson)
Bailes	Bethea (M)	Branyon	Campbell (Tuscaloosa)
Baker (DeKalb)	Bevill	Brown (Jefferson)	Casey

Cates	Fite	McDermott	Powell
Collins	Gilmore	Martin	Rast
Cook	Glass	Mashburn	Reynolds
Cooper	Goldthwaite	Meade	Rogers
Crawford	Goodwyn	Meeks	Salter
Daniel	Grouby	Merrill	Scurlock
Davis	Hain	Morrow	Sessions
Doggett	Hannah	Nabors	Smith
Dominick	Harper	NeSmith	Steagall
Downing	Heflin	Nettles	Stembridge
Drake	Hester	Owens	Sullivan
Edington	Hogan	Paulk	Teel
Edwards (Escambia)	Holladay	Pennington	Turner (Limestone)
Edwards (Lowndes)	Jones (Covington)	Perry	Turnham
Engel	Jones (Monroe)	Pierce	Vacca
Etheredge	Locke	Posey	Wood
Fields	McCorquodale		

—86

And the bill:

H. 769. To further amend Sections 3, 7 and 9 of Act No. 843 of the Regular Session of the Legislature of Alabama of 1961, approved September 8, 1961.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cook	Hankins	Paulk
Albea	Cooper	Hannah	Pennington
Avery	Cornett	Harper	Perry
Bailes	Crawford	Hawkins	Pierce
Baker (DeKalb)	Daniel	Heflin	Posey
Baker (Madison)	Davis	Hester	Powell
Barnett	Doggett	Hogan	Rast
Bassett	Dominick	Holladay	Reynolds
Bevill	Downing	Jones (Covington)	Rogers
Blanton	Drake	Jones (Monroe)	Salter
Boston	Edington	Locke	Scurlock
Bowers	Edwards (Escambia)	McCorquodale	Sessions
Branyon	Edwards (Lowndes)	McDermott	Smith
Brown (Jefferson)	Engel	Martin	Steagall
Burnham	Etheredge	Mashburn	Stembridge
Burns	Faulk	Meade	Sullivan
Camp	Fields	Meeks	Teel
Campbell (Jackson)	Fite	Merrill	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turnham
Casey	Glass	NeSmith	Vacca
Cates	Grouby	Nettles	Wood
Collins	Hain	Owens	

—87

And the bill:

H. 805. Relating to Mobile County; authorizing the Board of School Commissioners to provide insurance against loss or damage by fire, lightning, windstorm, hail, or other peril, for any or all school buildings and property, equipment, furniture or supplies belonging to such buildings or stored therein which are used or held in trust for school purposes, either

in an insurance company chosen by the Board or in the State Insurance Fund.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Paulk
Albea	Cornett	Harper	Pennington
Avery	Crawford	Hawkins	Perry
Bailes	Daniel	Heflin	Pierce
Baker (DeKalb)	Davis	Hester	Posey
Baker (Madison)	Doggett	Hogan	Powell
Barnett	Downing	Holladay	Reynolds
Bassett	Drake	Jones (Covington)	Rogers
Bevill	Edington	Jones (Monroe)	Salter
Blanton	Edwards (Escambia)	McCorquodale	Scurlock
Bowers	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Burnham	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Sullivan
Camp	Fite	Merrill	Teel
Campbell (Jackson)	Gilmore	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Nabors	Turner (Limestone)
Casey	Grouby	NeSmith	Turnham
Cates	Hain	Nettles	Vacca
Collins	Hankins	Owens	Wood
Cook			

—85

And the bill:

H. 806. To amend an Act of the General Assembly of Alabama approved February 15, 1876 and entitled "An Act to regulate public schools in the County of Mobile" as last amended by Act of the Legislature of Alabama approved September 19, 1947, by (1) amending that portion of Section 5 of the Act restricting the expenditure of money to purchase or lease property for school purposes necessary for the proper accommodation and comfort of pupils and teachers and for the proper accommodations of the officers, agents and employees of the Board, to twenty per centum (20%) of the income of the said Board, exclusive of the amounts derived from the State Educational Fund by eliminating the exclusion from the income of the Board, the amounts derived from the State Educational fund; and by specifically exempting from the 20 per cent limitation sums expended for constructing, furnishing and equipping of school buildings; (2) and by amending Section 5 of said Act by including specifically in the powers of the Board of School Commissioners of Mobile County, the power to invest, in obligations of the United States of America, whether interest-bearing obligations or obligations purchased at discount, moneys in the hands of the Board accumulated from any source, whether from sale of warrants or otherwise, and held in advance of expenditure by the Board in the conduct and performance of its duties and functions.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Hankins	Owens
Albea	Cook	Hannah	Paulk
Avery	Cooper	Harper	Pennington
Bailes	Cornett	Hawkins	Perry
Baker (DeKalb)	Crawford	Heflin	Pierce
Baker (Madison)	Daniel	Hester	Posey
Barnett	Davis	Hogan	Powell
Bassett	Doggett	Holladay	Reynolds
Bethea (B)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	McCorquodale	Scurlock
Boston	Edwards (Escambia)	Martin	Smith
Bowers	Edwards (Lowndes)	Mashburn	Steagall
Branyon	Engel	Meade	Stembridge
Burnham	Etheredge	Meeks	Sullivan
Burns	Fields	Merrill	Teel
Camp	Fite	Morrow	Turner (Limestone)
Campbell (Jackson)	Gilmore	Nabors	Turnham
Campbell (Tuscaloosa)	Glass	NeSmith	Vacca
Casey	Grouby	Nettles	Wood
Cates	Hain		

—82

And the bill:

H. 809. To further amend Section four (4) of an Act of the Legislature approved March 23, 1955, entitled: An Act: To establish in Mobile County, Alabama, the positions of Administrative Assistant to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama and Legal Stenographer to the Circuit Solicitor of the Thirteenth Judicial Circuit of Alabama; to prescribe their duties; to fix their term of employment and to prescribe their compensation out of the General Fund of Mobile County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Casey	Gilmore	Merrill
Albea	Cates	Glass	Morrow
Avery	Collins	Grouby	Nabors
Bailes	Cook	Hain	NeSmith
Baker (DeKalb)	Cornett	Hannah	Nettles
Baker (Madison)	Crawford	Harper	Owens
Barnett	Daniel	Hawkins	Paulk
Bassett	Davis	Heflin	Pennington
Bethea (B)	Doggett	Hester	Perry
Bevill	Downing	Hogan	Pierce
Blanton	Drake	Holladay	Posey
Boston	Edington	Jones (Covington)	Powell
Bowers	Edwards (Escambia)	Jones (Monroe)	Pruitt
Branyon	Edwards (Lowndes)	McCorquodale	Rast
Burnham	Engel	McDermott	Reynolds
Camp	Etheredge	Martin	Rogers
Campbell (Jackson)	Faulk	Mashburn	Salter
Campbell (Tuscaloosa)	Fields	Meade	Scurlock
Cantrell	Fite	Meeks	Sessions

Smith	Sullivan	Turner (Limestone)	Vacca
Steagall	Teel	Turnham	Wood
Stembridge	Turner (Crenshaw)		

—86

And the bill:

H. 810. To amend and reenact an Act relating to appeals by and on behalf of counties classified according to population, to extend the applicability of the Act.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Pierce
Bailes	Cornett	Heflin	Posey
Baker (Madison)	Crawford	Hester	Powell
Barnett	Daniel	Hogan	Pruitt
Bassett	Davis	Holladay	Rast
Bethea (B)	Doggett	Jones (Covington)	Reynolds
Bevill	Downing	Jones (Monroe)	Rogers
Blanton	Drake	McCorquodale	Salter
Bolton	Edington	McDermott	Scurlock
Boston	Edwards (Escambia)	Martin	Sessions
Bowers	Edwards (Lowndes)	Mashburn	Smith
Branyon	Engel	Meade	Steagall
Brown (Jefferson)	Etheredge	Meeks	Stembridge
Burnham	Faulk	Merrill	Sullivan
Camp	Fields	Morrow	Teel
Campbell (Jackson)	Fite	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	NeSmith	Turnham
Cantrell	Glass	Nettles	Vacca
Casey	Grouby	Owens	Wood
Cates	Hankins	Paulk	

—87

And the bill:

H. 811. Relating to elections; authorizing the court of county commissioners, board of revenue or like governing body of certain counties classified according to population to adopt and prescribe the number of voters to be assigned to voting machines on the basis of the type of election held and probably voter participation in such elections.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Barnett	Boston	Camp
Albea	Bassett	Bowers	Campbell (Jackson)
Avery	Bethea (B)	Branyon	Campbell (Tuscaloosa)
Bailes	Bevill	Brown (Jefferson)	Cantrell
Baker (DeKalb)	Blanton	Burnham	Casey
Baker (Madison)	Bolton	Burns	Cates

Collins	Fite	Mashburn	Rast
Cook	Gilmore	Meade	Reynolds
Cooper	Grouby	Meeks	Rogers
Cornett	Hain	Merrill	Salter
Crawford	Hankins	Morrow	Scurlock
Daniel	Hannah	Nabors	Sessions
Davis	Harper	NeSmith	Smith
Doggett	Hawkins	Nettles	Steagall
Downing	Heflin	Owens	Stembridge
Drake	Hester	Paulk	Sullivan
Edington	Holladay	Pennington	Teel
Edwards (Escambia)	Jones (Covington)	Perry	Turner (Limestone)
Edwards (Lowndes)	Jones (Monroe)	Pierce	Turnham
Engel	McCorquodale	Posey	Vacca
Etheredge	McDermott	Powell	Wood
Faulk	Martin	Pruitt	Young
Fields			

—89

And the bill:

H. 813. To amend Code of Alabama 1940, Title 62, Section 114, in relation to the county and city of Mobile and the appointment of humane officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Messrs.	Casey	Hankins	Pennington
Albea	Cates	Hannah	Perry
Avery	Collins	Harper	Pierce
Bailes	Cook	Hawkins	Posey
Baker (DeKalb)	Cooper	Heflin	Powell
Baker (Madison)	Cornett	Hogan	Pruitt
Barnett	Crawford	Holladay	Rast
Bassett	Daniel	Jones (Covington)	Reynolds
Bethea (B)	Davis	Jones (Monroe)	Rogers
Bevill	Doggett	Locke	Salter
Blanton	Downing	McCorquodale	Scurlock
Bolton	Drake	McDermott	Sessions
Boston	Edington	Martin	Smith
Bowers	Edwards (Escambia)	Mashburn	Steagall
Branyon	Edwards (Lowndes)	Meade	Stembridge
Brown (Jefferson)	Engel	Meeks	Sullivan
Brown (Tuscaloosa)	Etheredge	Merrill	Teel
Burnham	Faulk	Morrow	Turner (Limestone)
Burns	Fields	Nabors	Turnham
Camp	Fite	NeSmith	Vacca
Campbell (Jackson)	Gilmore	Nettles	Wood
Campbell (Tuscaloosa)	Grouby	Owens	Young
Cantrell	Hain	Paulk	

—90

And the bill:

H. 816. To repeal Act No. 629, H. 1028, Regular Session 1947, (Acts 1947, p. 997) relating to the issuance of permits for the erection, construction, moving or abolishing of certain buildings outside the cor-

porate limits of municipalities in counties having populations of 200,000 or more.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Pierce
Bailes	Daniel	Hester	Posey
Baker (DeKalb)	Davis	Hogan	Powell
Baker (Madison)	Doggett	Holladay	Pruitt
Barnett	Downing	Jones (Covington)	Rast
Bassett	Drake	Jones (Monroe)	Reynolds
Bethea (B)	Edington	Locke	Rogers
Bevill	Edwards (Escambia)	McCorquodale	Salter
Blanton	Edwards (Lowndes)	McDermott	Scurlock
Bolton	Engel	Martin	Sessions
Boston	Etheredge	Mashburn	Smith
Branyon	Faulk	Meade	Steagall
Brown (Jefferson)	Fields	Meeks	Stembridge
Brown (Tuscaloosa)	Fite	Merrill	Sullivan
Burns	Gilmore	Morrow	Teel
Campbell (Jackson)	Glass	Nabors	Turner (Limestone)
Cantrell	Grouby	NeSmith	Turnham
Casey	Hain	Nettles	Vacca
Cates	Hankins	Owens	Wood
Collins	Hannah	Paulk	Young
Cook			

—89

And the bill:

H. 818. To apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, divide any voting precinct of the county into territories, designate in each territory a voting center at which the qualified electors of the territory so designated may vote, and prescribe the number of voting machines to be maintained at each voting center; and to provide election officers for each voting center designated by the county governing body, prescribe the duties of such election officers, and fix their compensation.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Barnett	Boston	Campbell (Tuscaloosa)
Albea	Bassett	Branyon	Cantrell
Avery	Bethea (B)	Brown (Jefferson)	Casey
Bailes	Bevill	Burnham	Cates
Baker (DeKalb)	Blanton	Burns	Collins
Baker (Madison)	Bolton	Campbell (Jackson)	Cook

Cooper	Hain	Meade	Reynolds
Cornett	Hankins	Meeks	Rogers
Crawford	Hannah	Merrill	Salter
Daniel	Harper	Morrow	Scurlock
Davis	Hawkins	Nabors	Sessions
Doggett	Heflin	NeSmith	Smith
Downing	Hester	Nettles	Steagall
Drake	Hogan	Owens	Stembridge
Edington	Holladay	Paulk	Sullivan
Edwards (Escambia)	Jones (Covington)	Pennington	Teel
Edwards (Lowndes)	Jones (Monroe)	Perry	Thomas
Engel	Locke	Pierce	Turner (Limestone)
Etheredge	McCorquodale	Posey	Turnham
Fields	McDermott	Powell	Vacca
Fite	Martin	Pruitt	Wood
Gilmore	Mashburn	Rast	Young
Glass			

—89

And the bill:

H. 392. (With Substitute). To propose an amendment to the Constitution of Alabama authorizing the municipalities of Mobile County to incur indebtedness in amounts not to exceed ten percentum of the assessed valuation of the property therein.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Local Legislation No. 3, said committee substitute being as follows:

Substitute for H. B. 392:

A BILL TO BE ENTITLED AN ACT

To propose an amendment to the Constitution of Alabama authorizing certain named municipalities of Mobile County to incur indebtedness in amounts not to exceed ten percentum of the assessed valuation of the property therein.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama is proposed, to become valid as a part of the Constitution when approved by a majority of the qualified electors voting thereon and upon proclamation by the Governor.

PROPOSED AMENDMENT

1. The following incorporated municipalities in Mobile, County, viz: Mobile, Saraland and Bayou La Batre may become indebted in an amount, including present indebtedness, not exceeding ten percentum of the assessed valuation of the property therein, provided that there shall not be included in the limitation of the indebtedness the following classes of indebtedness: temporary loans to be paid within one year made in anticipation of the collection of taxes and not exceeding one-fourth of the general revenues; bonds or other obligations already issued or which may hereafter be issued for the purpose of acquiring, providing, or constructing school houses, water works and sewers; and obligations incurred and bonds

issued for street or sidewalk improvements, when the cost of the same, in whole or in part, is to be assessed against the property abutting said improvements; provided, that the proceeds of all obligations issued as herein provided, in excess of said ten percentum shall not be used for any purpose other than that for which said obligations were issued. Nothing contained in this article shall prevent the funding or refunding of existing indebtedness.

2. That part of Article 12, Section 225, of the Constitution of Alabama in conflict with this amendment is repealed. However, no bonds shall be issued under the authority of this amendment unless such issue of bonds be first authorized by a majority vote by ballot of the qualified electors of the above named city or town as provided in Section 222 of this Constitution.

Section 2. An election upon the proposed amendment is ordered to be held on the first Tuesday after the expiration of three months from final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the state. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Casey	Hankins	Pennington
Albea	Cates	Hannah	Perry
Avery	Collins	Harper	Pierce
Bailes	Cook	Hawkins	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bassett	Davis	Jones (Covington)	Reynolds
Bethea (B)	Doggett	Jones (Monroe)	Rogers
Bevill	Downing	Locke	Scurlock
Blanton	Drake	McCorquodale	Sessions
Bolton	Edwards (Escambia)	McDermott	Smith
Boston	Edwards (Lowndes)	Martin	Steagall
Branyon	Engel	Meade	Stembridge
Brown (Jefferson)	Etheredge	Meeks	Sullivan
Brown (Tuscaloosa)	Faulk	Merrill	Teel
Burnham	Fields	Morrow	Thomas
Burns	Fite	Nabors	Turner (Limestone)
Campbell (Jackson)	Gilmore	NeSmith	Turnham
Campbell (Tuscaloosa)	Glass	Nettles	Vacca
Cantrell	Grouby	Owens	Wood
Carr	Hain	Paulk	Young

—88

And said bill, H. 392, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 1.

Yeas:

Mr. Speaker	Collins	Hankins	Pennington
Albea	Cook	Hannah	Perry
Avery	Cooper	Harper	Pierce
Bailes	Cornett	Hawkins	Posey
Baker (Madison)	Crawford	Heflin	Powell
Barnett	Daniel	Hester	Pruitt
Bassett	Davis	Hogan	Rast
Bethea (B)	Doggett	Holladay	Reynolds
Bevill	Downing	Jones (Covington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Bolton	Edgington	Locke	Sessions
Boston	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Meade	Stembridge
Brown (Tuscaloosa)	Etheredge	Meeks	Sullivan
Burnham	Faulk	Merrill	Teel
Burns	Fields	Morrow	Thomas
Campbell (Jackson)	Fite	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Gilmore	NeSmith	Turnham
Cantrell	Glass	Nettles	Vacca
Carr	Greuby	Owens	Wood
Casey	Hain	Paulk	Young
Cates			

—89

Nay:

Mr. Rogers

—1

And the bill:

H. 485. (With Amendment). To provide expense allowance to circuit solicitors in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Was taken up.

The question was upon the adoption of the amendment reported by the standing committee on Local Legislation No. 1, said committee amendment being as follows:

Amend House Bill No. 485 to read as follows:

"Section 1. In addition to the expenses now allowed by law to Circuit Solicitors pursuant to Section 241, Title 13, Code of Alabama, 1940, there shall be paid to Circuit Solicitors in the Ninth Judicial Circuit the sum of Three Hundred Dollars per annum for each County of the Circuit, over and above one, the said additional allowance to be reimbursement for reasonable expenses while in attendance upon Court outside of their home county, to be paid from the treasury monthly.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the amendment was adopted.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Hawkins	Perry
Albea	Collins	Hester	Pierce
Avery	Cook	Hogan	Posey
Bailes	Cooper	Jones (Covington)	Powell
Baker (DeKalb)	Cornett	Jones (Monroe)	Pruitt
Baker (Madison)	Daniel	Locke	Rast
Barnett	Davis	McCorquodale	Reynolds
Bassett	Doggett	McDermott	Rogers
Bethea (B)	Downing	Martin	Scurlock
Bevill	Drake	Mashburn	Smith
Boston	Edington	Meade	Steagall
Bowers	Edwards (Escambia)	Meeks	Sullivan
Branyon	Edwards (Lowndes)	Merrill	Teel
Brown (Jefferson)	Faulk	Moore	Thomas
Brown (Tuscaloosa)	Fite	Morrow	Turner (Crenshaw)
Burnham	Gilmore	Nabors	Turner (Limestone)
Burns	Glass	NeSmith	Turnham
Camp	Grouby	Nettles	Vacca
Campbell (Jackson)	Hain	Owens	Wood
Campbell (Tuscaloosa)	Hannah	Paulk	Young
Carr	Harper	Pennington	

—83

And said bill, H. 485, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Pennington
Avery	Collins	Hawkins	Perry
Bailes	Cooper	Hester	Pierce
Baker (DeKalb)	Cornett	Hogan	Powell
Baker (Madison)	Daniel	Jones (Covington)	Pruitt
Bassett	Davis	Jones (Monroe)	Rast
Bethea (B)	Doggett	McCorquodale	Reynolds
Bevill	Downing	McDermott	Rogers
Bolton	Drake	Martin	Scurlock
Boston	Edington	Mashburn	Sessions
Bowers	Edwards (Escambia)	Meade	Smith
Branyon	Edwards (Lowndes)	Meeks	Steagall
Brown (Jefferson)	Faulk	Merrill	Sullivan
Brown (Tuscaloosa)	Fields	Moore	Teel
Burnham	Fite	Morrow	Thomas
Burns	Gilmore	Nabors	Turner (Limestone)
Camp	Glass	NeSmith	Vacca
Campbell (Jackson)	Grouby	Nettles	Wood
Campbell (Tuscaloosa)	Hain	Owens	Young
Carr	Hankins		

—82

And the bill:

H. 486. (With Amendment). To provide expense allowances to circuit court judges in judicial circuits composed of three or more counties in addition to those expenses now allowed by law.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend House Bill No. 486 to read as follows:

"Section 1. In addition to the expenses now allowed by law to circuit court judges pursuant to Section 241, Title 13, Code of Alabama, 1940, there shall be paid to circuit court judges in the Ninth Judicial Circuit the sum of Three Hundred Dollars per annum for each county of the Circuit, over and above one, the said additional allowance to be reimbursement for reasonable expenses while in attendance upon Court outside of their home county, to be paid from the treasury monthly.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law."

And the amendment was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Paulk
Albea	Cates	Harper	Pennington
Avery	Cook	Hawkins	Perry
Bailes	Cooper	Hester	Pierce
Baker (DeKalb)	Cornett	Hogan	Posey
Baker (Madison)	Daniel	Jones (Covington)	Powell
Barnett	Doggett	Jones (Monroe)	Pruitt
Bassett	Downing	McCorquodale	Reynolds
Bethea (B)	Drake	McDermott	Scurlock
Bevill	Edgington	Martin	Sessions
Bolton	Edwards (Escambia)	Mashburn	Smith
Boston	Edwards (Lowndes)	Meade	Stembridge
Bowers	Engel	Meeks	Sullivan
Branyon	Faulk	Merrill	Teel
Brown (Jefferson)	Fields	Moore	Thomas
Brown (Tuscaloosa)	Fite	Morrow	Turner (Limestone)
Burnham	Gilmore	Nabors	Turnham
Burns	Glass	NeSmith	Vacca
Campbell (Jackson)	Grouby	Nettles	Wood
Campbell (Tuscaloosa)	Hain	Owens	Young
Carr	Hankins		

—82

And said bill, H 486, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Bethea (B)	Burns	Cooper
Albea	Bolton	Campbell (Jackson)	Cornett
Avery	Boston	Campbell (Tuscaloosa)	Daniel
Bailes	Bowers	Carr	Davis
Baker (DeKalb)	Branyon	Casey	Doggett
Baker (Madison)	Brown (Jefferson)	Cates	Downing
Barnett	Brown (Tuscaloosa)	Collins	Drake
Bassett	Burnham	Cook	Edgington

Edwards (Escambia)	Hawkins	Nabors	Reynolds
Edwards (Lowndes)	Hester	NeSmith	Rogers
Engel	Hogan	Nettles	Scurlock
Faulk	Holladay	Owens	Sessions
Fite	Jones (Covington)	Paulk	Smith
Gilmore	Jones (Monroe)	Pennington	Sullivan
Glass	McCorquodale	Perry	Teel
Grouby	Mashburn	Pierce	Thomas
Hain	Meade	Posey	Turner (Limestone)
Hankins	Merrill	Powell	Turnham
Hannah	Moore	Pruitt	Vacca
Harper	Morrow	Rast	Wood

—80

And the bill:

H. 580. (With Amendment). To fix the compensation of the judge of probate of all counties having a population of not less than 160,000 nor more than 300,000, according to the last or any subsequent federal decennial census, and to regulate the payment of same, and to require the judge of probate to pay into the County Treasury of said county all costs and charges of Court, Fees and Commission authorized by law to be collected by said judge of probate as other moneys belonging to said county are paid.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend HB 580 by striking the words and figures \$13,000 wherever they appear therein and inserting in lieu thereof the words and figures \$11,400.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Perry
Albea	Cates	Harper	Pierce
Avery	Collins	Hawkins	Posey
Bailes	Cornett	Heflin	Powell
Baker (DeKalb)	Crawford	Hester	Pruitt
Baker (Madison)	Daniel	Hogan	Rast
Barnett	Davis	Jones (Covington)	Reynolds
Bassett	Doggett	Jones (Monroe)	Rogers
Bethea (B)	Downing	Little	Salter
Bevill	Drake	McCorquodale	Scurlock
Bolton	Edington	McDermott	Sessions
Boston	Edwards (Escambia)	Mashburn	Smith
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Faulk	Merrill	Sullivan
Brown (Tuscaloosa)	Fields	Morrow	Teel
Burnham	Fite	Nabors	Thomas
Burns	Gilmore	NeSmith	Turner (Limestone)
Camp	Glass	Nettles	Vacca
Campbell (Jackson)	Grouby	Owens	Wood
Campbell (Tuscaloosa)	Hain	Paulk	Young
Carr	Hankins	Pennington	

—87

And said bill, H. 580, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cornett	Harper	Pennington
Albea	Crawford	Hawkins	Perry
Avery	Daniel	Heflin	Pierce
Bailes	Davis	Hester	Posey
Baker (DeKaib)	Doggett	Hogan	Powell
Baker (Madison)	Dominick	Jones (Corington)	Pruitt
Bassett	Downing	Jones (Monroe)	Rast
Bethea (B)	Drake	Little	Reynolds
Bevill	Edington	Locke	Rogers
Bolton	Edwards (Escambia)	McCorquodale	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Branyon	Engel	Martin	Smith
Brown (Jefferson)	Faulk	Mashburn	Steagall
Brown (Tuscaloosa)	Fields	Meade	Stembridge
Burnham	Fite	Meeks	Sullivan
Burns	Gilmore	Merrill	Teel
Camp	Glass	Moore	Thomas
Campbell (Jackson)	Goodwyn	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Nabors	Turnham
Carr	Hain	NeSmith	Vacca
Casey	Hankins	Nettles	Wood
Cook	Hannah	Owens	Young
Cooper			

—89

MOTION TO RECONSIDER ADOPTED

The motion of Mr. McDermott to reconsider the vote by which the bill, H. 816, was passed, was adopted.

H. 816 POSTPONED

And on motion of Mr. McDermott, further consideration of the bill, H. 816, was postponed until the next legislative day.

And the bill:

H. 747. Relating to the sixteenth judicial circuit of Alabama; prescribing a rule of procedure for the circuit courts therein.

Was taken up.

Mr. Burns offered the following amendment to the bill, H. 747:

AMENDMENT TO HB 747

Amend in section I the word "Wednesday" wherever the word appears and add in lieu thereof the word "Tuesday".

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Carr	Hain	Owens
Albea	Casey	Hankins	Paulk
Avery	Cates	Hannah	Pennington
Bailes	Cook	Harper	Perry
Baker (DeKalb)	Collins	Hawkins	Posey
Baker (Madison)	Cooper	Heflin	Powell
Barnett	Cornett	Hester	Pruitt
Bassett	Crawford	Hogan	Reynolds
Bevill	Daniel	Jones (Covington)	Scurlock
Bolton	Davis	Jones (Monroe)	Sessions
Boston	Downing	Locke	Smith
Bowers	Drake	McDermott	Steagall
Branyon	Edwards (Escambia)	Martin	Stembridge
Brown (Jefferson)	Edwards (Lowndes)	Meade	Sullivan
Burnham	Engel	Meeks	Teel
Burns	Faulk	Merrill	Thomas
Camp	Fite	Moore	Turner (Limestone)
Campbell (Jackson)	Gilmore	Nabors	Vacca
Campbell (Tuscaloosa)	Glass	NeSmith	Wood
Cantrell	Grouby	Nettles	Young

—80

And said bill, H. 747, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cantrell	Grouby	Paulk
Albea	Carr	Hain	Pennington
Avery	Casey	Hankins	Perry
Bailes	Cates	Hannah	Posey
Baker (DeKalb)	Cook	Harper	Powell
Barnett	Cooper	Hawkins	Pruitt
Bassett	Cornett	Hester	Reynolds
Bethea (B)	Crawford	Jones (Covington)	Sessions
Bevill	Daniel	Jones (Monroe)	Smith
Bolton	Davis	McDermott	Steagall
Boston	Downing	Martin	Stembridge
Bowers	Drake	Meade	Sullivan
Branyon	Edwards (Escambia)	Meeks	Teel
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Thomas
Burnham	Engel	Moore	Turner (Limestone)
Burns	Faulk	Nabors	Turnham
Camp	Fite	NeSmith	Vacca
Campbell (Jackson)	Gilmore	Nettles	Wood
Campbell (Tuscaloosa)	Glass	Owens	Young

—76

And the bill:

H. 748. Relating to counties having populations of not less than 96,000 nor more than 106,000; authorizing certain teachers in the public schools who are over age seventy to be continued in service; and prescribing conditions for their continued employment.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pennington
Albea	Collins	Harper	Perry
Avery	Cook	Hawkins	Pierce
Bailes	Cooper	Heflin	Posey
Baker (DeKalb)	Cornett	Hester	Powell
Baker (Madison)	Crawford	Hogan	Pruitt
Barnett	Daniel	Jones (Covington)	Reynolds
Bassett	Davis	Jones (Monroe)	Rogers
Bethea (B)	Doggett	Locke	Scurlock
Bevill	Downing	McCorquodale	Sessions
Bolton	Drake	McDermott	Smith
Boston	Edwards (Escambia)	Meade	Steagall
Bowers	Edwards (Lowndes)	Meeks	Stembridge
Branyon	Engel	Merrill	Sullivan
Brown (Jefferson)	Faulk	Moore	Teel
Burnham	Fields	Morrow	Thomas
Burns	Fite	Nabors	Turner (Limestone)
Camp	Gilmore	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Cantrell	Hain	Owens	Wood
Carr	Hankins	Paulk	Young
Casey			

—86

And the bill:

H. 752. To amend Section 2 of Act No. 412, H. 878, Regular Session 1961 (Acts 1961, p. 429), relating to certain county officers in counties classified according to population.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cates	Hankins	Paulk
Albea	Collins	Hannah	Pennington
Avery	Cook	Harper	Perry
Bailes	Cooper	Hawkins	Pierce
Baker (DeKalb)	Cornett	Heflin	Posey
Baker (Madison)	Crawford	Hester	Powell
Barnett	Daniel	Hogan	Pruitt
Bassett	Davis	Jones (Covington)	Reynolds
Bethea (B)	Doggett	Jones (Monroe)	Salter
Bevill	Downing	Locke	Scurlock
Bolton	Edington	McCorquodale	Sessions
Boston	Edwards (Escambia)	McDermott	Smith
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Faulk	Merrill	Sullivan
Burnham	Fields	Moore	Teel
Burns	Fite	Morrow	Thomas
Camp	Gilmore	Nabors	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	NeSmith	Vacca
Carr	Grouby	Nettles	Wood
Casey	Hain	Owens	Young

—84

And the bill:

H. 759. Relating to counties having populations of not less than 50,000 nor more than 54,000; providing expense allowances for members of the court of county commissioners, board of revenue, or other like county governing body.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Casey	Grouby	Owens
Albea	Cates	Hain	Paulk
Avery	Collins	Hankins	Pennington
Bailes	Cook	Hannah	Perry
Baker (DeKalb)	Cooper	Hawkins	Pierce
Baker (Madison)	Cornett	Heflin	Posey
Barnett	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Pruitt
Bethea (B)	Davis	Jones (Covington)	Scurlock
Bevill	Doggett	Jones (Monroe)	Sessions
Bolton	Downing	Locke	Smith
Boston	Drake	McCorquodale	Steagall
Bowers	Edington	McDermott	Stembridge
Branyon	Edwards (Escambia)	Meade	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Teel
Burnham	Engel	Merrill	Thomas
Burns	Faulk	Moore	Turner (Limestone)
Camp	Fields	Morrow	Turnham
Campbell (Jackson)	Fite	Nabors	Wood
Campbell (Tuscaloosa)	Gilmore	NeSmith	Young
Carr	Glass	Nettles	

—83

And the bill:

H. 760. To alter, rearrange and extend the boundary lines and corporate limits of the City of Scottsboro, in Jackson County, Alabama, and to prescribe the time when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Branyon	Crawford	Gilmore
Albea	Brown (Jefferson)	Daniel	Glass
Avery	Burnham	Davis	Grouby
Bailes	Camp	Doggett	Hain
Baker (DeKalb)	Campbell (Jackson)	Dominick	Hankins
Baker (Madison)	Campbell (Tuscaloosa)	Downing	Hannah
Barnett	Carr	Drake	Harper
Bassett	Casey	Edwards (Escambia)	Hawkins
Bethea (B)	Cates	Edwards (Lowndes)	Heflin
Bevill	Collins	Engel	Hogan
Bolton	Cook	Faulk	Holladay
Boston	Cooper	Fields	Jones (Covington)
Bowers	Cornett	Fite	Jones (Monroe)

Locke	NeSmith	Powell	Sullivan
McCorquodale	Nettles	Pruitt	Teel
McDermott	Owens	Reynolds	Thomas
Meade	Paulk	Salter	Turner (Limestone)
Meeks	Pennington	Scurlock	Turnham
Merrill	Perry	Sessions	Vacca
Moore	Pierce	Smith	Wood
Morrow	Posey	Steagall	Young
Nabors			

—85

And the bill:

H. 776. To repeal an act entitled "An Act, relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 471, Regular Session 1961 (Acts 1961, Vol. 1, page 381), an act abolishing the Fine and Forfeiture Fund of the County."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins	Harper	Faulk
Albea	Cook	Hawkins	Pennington
Avery	Cooper	Heflin	Perry
Bailes	Cornett	Hogan	Pierce
Baker (DeKalb)	Crawford	Holladay	Posey
Baker (Madison)	Daniel	Jones (Covington)	Powell
Barnett	Davis	Jones (Monroe)	Pruitt
Bassett	Doggett	Locke	Reynolds
Bethea (B)	Downing	McCorquodale	Salter
Bevill	Drake	McDermott	Scurlock
Bolton	Edgington	Martin	Sessions
Boston	Edwards (Escambia)	Mashburn	Smith
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Faulk	Merrill	Sullivan
Burnham	Fields	Moore	Teel
Camp	Giltmore	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Hain	NeSmith	Vacca
Casey	Hankins	Nettles	Wood
Cates	Hannah	Owens	Young

—85

And the bill:

H. 777. Relating to Lawrence County, providing for a Fine and Forfeiture Fund in the County Treasury and for the use thereof, repealing Act No. 362, H. 741, Regular Session 1961 (Acts 1961, Vol. 1, page 381), an act abolishing the Fine and Forfeiture Fund of the County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Pennington
Albea	Cornett	Hawkins	Perry
Avery	Crawford	Heflin	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Barnett	Doggett	Jones (Covington)	Reynolds
Bassett	Downing	Jones (Monroe)	Salter
Bethea (B)	Edington	Locke	Scurlock
Bevill	Edwards (Escambia)	McCorquodale	Sessions
Bolton	Edwards (Lowndes)	McDermott	Smith
Boston	Engel	Mashburn	Steagall
Bowers	Faulk	Meade	Stembridge
Branyon	Fields	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Burnham	Gilmore	Moore	Thomas
Camp	Glass	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Campbell (Tuscaloosa)	Hain	Nettles	Vacca
Casey	Hankins	Owens	Wood
Cates	Hannah	Paulk	Young
Cook			

—81

And the bill:

H. 848. To make it lawful for any person, or persons, to use stationary fish traps with wooden fingers or slats not less than one and one-half inches apart for the purpose of taking or catching commercial or non-game fish in that part of any river that lies within counties in Alabama having a population not less than 65,000 nor more than 95,000 according to the last or any subsequent federal census; and to further regulate the operation of such traps.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cook	Harper	Perry
Albea	Cooper	Hawkins	Posey
Avery	Cornett	Heflin	Powell
Baker (DeKalb)	Crawford	Hogan	Pruitt
Baker (Madison)	Daniel	Holladay	Reynolds
Barnett	Davis	Jones (Covington)	Salter
Bassett	Doggett	Jones (Monroe)	Scurlock
Bethea (B)	Dominick	Locke	Sessions
Bevill	Downing	McDermott	Smith
Bolton	Edwards (Escambia)	Mashburn	Steagall
Boston	Edwards (Lowndes)	Meade	Stembridge
Bowers	Engel	Merrill	Sullivan
Branyon	Faulk	Moore	Teel
Brown (Jefferson)	Fite	Morrow	Thomas
Burnham	Gilmore	Nabors	Turner (Limestone)
Camp	Glass	NeSmith	Turnham
Campbell (Jackson)	Grouby	Nettles	Vacca
Campbell (Tuscaloosa)	Hain	Owens	Wood
Casey	Hankins	Paulk	Young
Collins	Hannah	Pennington	

—79

And the bill:

H. 849. To create and establish in Talladega County a county court of limited jurisdiction of criminal, civil cases at law and juvenile cases, composed of two divisions, a Northern Division and a Southern Division, to be known as the "County Court of Talladega County", Northern Division and Southern Division, and abolish the Intermediate Court of Talladega County created by Act 733, H. 1077, approved September 5, 1951 (Acts of 1951, Page 1281), and also the Civil and Misdemeanors Court of South Talladega County, created by Act 109, S. 37, approved August 24, 1959 (Acts of 1959, page 330); providing for its officers and their term, powers, duties, compensation and method of selection; prescribing its jurisdiction; regulating its procedure and process; providing for the return of warrants thereto, including all warrants for the violation of the rules of the road and similar offenses; fixing the costs, charges and commissions collectible in the court; providing for appeals from the court; providing for the transfer to the court of all cases pending in and judgments rendered by the Intermediate Court of Talladega County and the Civil and Misdemeanors Court of South Talladega County.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Albea	Cornett	Harper	Paulk
Avery	Crawford	Hawkins	Pennington
Baker (DeKalb)	Daniel	Heflin	Perry
Baker (Madison)	Davis	Hogan	Posey
Barnett	Doggett	Holladay	Powell
Bassett	Dominick	Jones (Covington)	Pruitt
Bethea (B)	Downing	Jones (Monroe)	Reynolds
Bolton	Drake	Locke	Scurlock
Boston	Edington	McCorquodale	Sessions
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Burnham	Faulk	Meade	Sullivan
Burns	Fields	Meeks	Teel
Camp	Fite	Merrill	Thomas
Campbell (Tuscaloosa)	Gilmore	Moore	Turner (Limestone)
Cantrell	Glass	Morrow	Turnham
Casey	Grouby	Nabors	Vacca
Collins	Hain	NeSmith	Wood
Cook	Hankins	Nettles	Young

—84

And the bill:

S. 120. To provide for and require reidentification of the registered electors of Jackson County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pennington
Albea	Cook	Harper	Perry
Avery	Cooper	Hawkins	Pierce
Baker (DeKalb)	Cornett	Heflin	Posey
Baker (Madison)	Crawford	Hogan	Powell
Barnett	Daniel	Holladay	Pruitt
Bassett	Davis	Jones (Covington)	Reynolds
Bethea (B)	Doggett	Jones (Monroe)	Scurlock
Bevill	Dominick	McCorquodale	Sessions
Bolton	Downing	McDermott	Smith
Boston	Drake	Mashburn	Steagall
Bowers	Edwards (Escambia)	Meade	Stembridge
Branyon	Edwards (Lowndes)	Meeks	Sullivan
Brown (Jefferson)	Engel	Merrill	Teel
Burnham	Faulk	Moore	Thomas
Burns	Fite	Morrow	Turner (Crenshaw)
Camp	Gilmore	Nabors	Turner (Limestone)
Campbell (Jackson)	Glass	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Cantrell	Hain	Owens	Wood
Casey	Hankins	Paulk	Young

—84

H. 262 POSTPONED

On motion of Mr. Stembridge, consideration of the bill, H. 262, was postponed until the twenty-ninth legislative day.

And the bill:

S. 255. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

Was read a third time at length and passed.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Cook	Hannah	Pennington
Albea	Cooper	Harper	Perry
Avery	Cornett	Hawkins	Pierce
Bailes	Crawford	Heflin	Posey
Baker (Madison)	Daniel	Hogan	Powell
Barnett	Davis	Holladay	Pruitt
Bassett	Doggett	Jones (Covington)	Reynolds
Bethea (B)	Dominick	Jones (Monroe)	Salter
Bevill	Downing	Little	Scurlock
Boston	Drake	McCorquodale	Sessions
Bowers	Edington	McDermott	Smith
Branyon	Edwards (Escambia)	Mashburn	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Meade	Stembridge
Burnham	Engel	Meeks	Sullivan
Burns	Faulk	Merrill	Teel
Camp	Fields	Moore	Thomas
Campbell (Jackson)	Fite	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Gilmore	Nabors	Turner (Limestone)
Cantrell	Glass	NeSmith	Turnham
Carr	Grouby	Nettles	Vacca
Casey	Hain	Owens	Wood
Cates	Hankins	Paulk	Young

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MOTION IN WRITING

Mr. Bolton offered the following Motion in Writing:

Having voted with the prevailing side on HB No. 436 on the 23rd Legislative day I move that HB No. 436 be reconsidered.

The point of order raised by Mr. Fite that the Motion in Writing offered by Mr. Bolton was out of order was sustained by the Chair.

RECESS

On motion of Mr. Fite the House recessed until 3:30 o'clock this afternoon.

Yeas 51; Nays 41.

Yeas:

Mr. Speaker	Cantrell	Hankins	Posey
Avery	Collins	Hannah	Pruitt
Bailes	Crawford	Hawkins	Reynolds
Baker (DeKalb)	Daniel	Jones (Monroe)	Salter
Bethea (B)	Davis	Locke	Scurlock
Bethea (M)	Drake	McDermott	Sessions
Bevill	Edwards (Escambia)	Martin	Sullivan
Blanton	Edwards (Lowndes)	Moore	Teel
Boston	Engel	Morrow	Thomas
Brown (Tuscaloosa)	Etheredge	NeSmith	Turner (Crenshaw)
Burns	Fite	Nettles	Turnham
Callahan	Grouby	Paulk	Vacca
Campbell (Tuscaloosa)	Hain	Perry	

—51

Nays:

Messrs.	Carr	Gilmore	Merrill
Albea	Casey	Goldthwaite	Pennington
Baker (Madison)	Cook	Heflin	Pierce
Barnett	Cooper	Hogan	Powell
Bassett	Cornett	Holladay	Rogers
Bolton	Doggett	Jones (Covington)	Smith
Bowers	Dominick	Little	Steagall
Branyon	Downing	McCorquodale	Stembridge
Burnham	Edington	Mashburn	Turner (Limestone)
Camp	Faulk	Meeks	Young
Campbell (Jackson)	Fields		

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AFTERNOON SESSION

The hour of 3:30 o'clock P.M. having arrived, the House reconvened. The Speaker called the House to order.

MOTION IN WRITING

Mr. Bolton offered the following Motion in Writing:

I move that we direct the clerk to request that the Senate send back to the House, House Bill No. 436, for further consideration.

REGULAR SESSION

1263

On motion of Mr. Fite the Motion in Writing offered by Mr. Bolton was laid upon the table.

Yeas 60; Nays 26.

Yeas:

Mr. Speaker	Cantrell	Glass	Owens
Avery	Cates	Grouby	Paulk
Bailes	Collins	Hannah	Perry
Baker (Madison)	Crawford	Harper	Pruitt
Barnett	Daniel	Hawkins	Rast
Bassett	Davis	Hester	Reynolds
Bethea (B)	Downing	Hogan	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Boston	Edington	McDermott	Sessions
Bowers	Edwards (Escambia)	Martin	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Meeks	Thomas
Brown (Tuscaloosa)	Engel	Merrill	Turner (Crenshaw)
Callahan	Etheredge	Morrow	Turner (Limestone)
Campbell (Jackson)	Faulk	Nabors	Vacca
Campbell (Tuscaloosa)	Fite	Nettles	Wood

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Nays:

Messrs.	Carr	Heflin	NeSmith
Albea	Casey	Holladay	Pennington
Bolton	Cooper	Jones (Covington)	Pierce
Branyon	Doggett	Little	Posey
Burnham	Goldthwaite	McCorquodale	Powell
Burns	Goodwyn	Mashburn	Stembridge
Camp	Hain	Moore	

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INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Grouby and Nettles:

H. 879. Relating to counties having populations of not less than 18,000 nor more than 19,000; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Local Government.

By Messrs. Burnham, Albea and Merrill:

H. 880. Relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 881. To provide that clerks of county courts or other inferior

courts in counties having a population of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census, may take affidavits and complaints, issue warrants of arrest in misdemeanor and felony cases, and issue search warrants.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 882. Relating to counties having a population of not less than 25,700 nor more than 25,900; regulating further the compensation and expense allowance of county superintendents of education.

Local Legislation No. 1.

By Mr. McCorquodale:

H. 883. To provide an allowance for clerk hire for the circuit court clerk of all counties having populations of not less than 25,700 nor more than 25,900.

Local Legislation No. 1.

By Mr. Casey:

H. 884. Relating to counties having populations of not less than 10,800 nor more than 11,800; prohibiting payroll deduction of dues of teachers and school employees in professional organizations; prescribing punishment for violations.

Local Legislation No. 1.

By Messrs. Cantrell, Boston and Hannah:

H. 885. Providing further for the disposition of real property of men dying intestate leaving surviving widows.

Judiciary.

By Mr. Teel:

H. 886. Relating to counties having populations of less than 10,800; prescribing the compensation of the county superintendents of education.

Local Legislation No. 1.

By Mr. Teel:

H. 887. To fix and provide for the payment of the ex officio fees of the clerks of the circuit courts of all counties in this state having populations of not more than 11,800, according to the last or any subsequent federal decennial census.

Local Legislation No. 1.

By Mr. Teel (With Notice and Proof):

H. 888. Relating to Coosa County; providing additional compensation for certain election officers.

Local Legislation No. 1.

Notice and Proof H. 888:

A BILL TO BE ENTITLED
AN ACT

Relating to Coosa County; providing additional compensation for certain election officers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Election officers who are appointed and serve in Coosa County under provisions of Chapter 1, Title 17, Code of Alabama 1940, as amended, shall receive additional compensation and allowances as follows: The returning officer and inspectors and clerks shall each be entitled to an additional five dollars (\$5.00); the several claims shall be paid as preferred claims, out of moneys in the county treasury not otherwise appropriated, on proper proof of service rendered, and shall be paid from county funds only and for which there shall be no reimbursement by the state.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1963.

J. C. HENDERSON.

Sworn to and subscribed before me June 7, 1963.

VONCILLE M. DEAN,
Title Notary Public.

My Commission Expires February 12, 1967.

By Mr. Teel (With Notice and Proof):

H. 889. To provide for the selection of office assistance for the County Superintendent of Education for Coosa County, Alabama, and to fix the compensation of such help.

Local Legislation No. 1.

Notice and Proof H. 889:

A BILL TO BE ENTITLED
AN ACT

To provide for the selection of office assistance of the County Superintendent of Education for Coosa County, Alabama, and to fix the compensation of such help.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The County Board of Education of Coosa County, Ala., shall determine the amount of office help necessary for the County Superintendent of Education and shall fix the compensation of such help and the time and manner of payment thereof; the County Superintendent of Education shall nominate and the County Board of Education shall elect the office help provided by this Act.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF COOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. C. Henderson, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Alexander City Outlook, a newspaper of general circulation published in Coosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 16, May 23, May 30, and June 6, all in the year 1963.

J. C. HENDERSON.

Sworn to and subscribed before me June 7, 1963.

VONCILLE M. DEAN.
Title Notary Public

My Commission Expires February 12, 1967.

By Mr. Jones (Covington):

H. 890. Relating to public schools; further empowering local school boards to prescribe schedules, classes, subjects and sessions for public school pupils under their jurisdiction.

Education.

By Messrs. Turner (Crenshaw), Goodwyn, Nettles, Brewer and Fite:

H. 891. Relating to public schools; empowering local school boards

of the state to further regulate the manner, method, and procedure for teaching in the classrooms of the public schools.

Ways and Means.

By Messrs. Turner (Crenshaw), Goodwyn, Nettles, Brewer and Fite:

H. 892. Relating to public schools; further empowering local boards of education to take certain actions in respect of pupils who create disciplinary problems.

Ways and Means.

By Messrs. Hain, Goodwyn, Vacca, Merrill, Burnham, Steagall, Callahan and Teel:

H. 893. To prescribe the time in which appeals may be made to the Supreme Court or to the Court of Appeals from decrees affecting the custody of children; and to provide that such cases so appealed shall be considered preferred cases.

Judiciary.

By Mr. Baker (DeKalb):

H. 894. To appropriate to the Department of Conservation, Division of State Parks, Monuments and Historical Sites, the sum of Thirty Thousand Dollars (\$30,000) for the repair of the State-owned dam and construction of additional facilities at DeSota Falls in DeKalb County, Alabama.

Ways and Means.

By Messrs. Baker (DeKalb), Cantrell, Hannah, Boston, Carr, Turnham, Burns, Nabors, Thomas, Meade, Drake, Hester, Campbell (Jackson), Scurlock, Bevill, Davis, Powell, Harper, Blanton, Rogers, McDermott and NeSmith:

H. 895. To provide for State Courses of Study and for the adoption, selection, purchase and distribution of textbooks to be used in the tax-supported public schools of Alabama.

Education.

By Messrs. Owens, Burns, Turner (Crenshaw), Bolton, Albea, Pennington, Bevill, Campbell (Jackson), Moore and Hannah:

H. 896. Relating to the liability of railroad companies for damages; amending Code of Alabama 1940, Title 48, Section 173.

Judiciary.

By Mr. Owens:

H. 897. To authorize cities to construct, reconstruct, equip, improve, extend, enlarge, maintain, repair, operate and lease off-street parking facilities; to acquire property for that purpose by purchase, gift, bequest, devise, grant, or by the exercise of the power of eminent domain with certain exceptions; to collect fees, tolls and rentals in connection with such facilities; to finance the acquisition of such facilities from the general funds of the city, through the issuance of general obligation warrants, or through the issuance of limited obligation revenue bonds; to pledge to the punctual payment of any debt, including revenue bonds and interest thereon, the revenues derived from such facilities; to pledge, mortgage,

execute deeds of trust or create liens upon such facilities for the purpose of securing any debt, including revenue bonds and interest thereon, created for the purpose of financing such facilities; to accept loans or grants from the federal government to plan, construct or acquire such facilities; to make and enter into contracts and agreements necessary or incidental to the execution of powers granted herein, and to employ professional and management services needed to carry out the provisions of this Act; prescribing the conditions and manner in which revenue bonds may be issued to finance such facilities, that such bonds and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant hereto, and all parking facilities and revenue derived from the lease of such facilities shall be exempt from all taxation in the state of Alabama; providing that revenue bonds issued under the authority of this Act shall be legal investments for savings banks and insurance companies; and providing that the powers granted by this Act shall be cumulative and that the provisions of this Act shall be severable.

Local Government.

By Messrs. Owens, Moore, Young and Nabors:

H. 898. To make it unlawful for minors to bowl or play ninepins or tenpins or similar games at bowling alleys under certain conditions whereby an element of gambling is injected into the game by the use of prizes, jackpots and other things of monetary value except in duly regulated tournaments; and to prescribe penalties for owners and operators of bowling alleys where such conditions obtain who permit minors to bowl in such alleys in contravention of this act.

Business and Labor.

By Mr. Nabors:

H. 899. To amend Title 22, Section 199, Code of Alabama 1940, as amended, which relates to care and treatment of tubercular patients.

Health.

By Messrs. Avery, Young, Nabors, Barnett and Davis:

H. 900. To amend Code of Alabama 1940, Title 55, Section 301, in relation to a redefinition of the term exempt service under the Merit System Act.

State Administration.

By Mr. Crawford:

H. 901. Relating to administration of the Department of Industrial Relations; prescribing the salary of the executive assistant director of said Department.

State Administration.

By Mr. Crawford:

H. 902. To amend Section 6 of Act No. 207, S. 14, Regular Session 1945, an act establishing the school of dentistry of the University of Alabama (General Acts 1945, p. 323), in relation to scholarships.

State Administration.

By Mr. Crawford:

H. 903. To amend Section 6 of Act No. 89, S. 35, Regular Session

1943, an act establishing the medical college of Alabama (General Acts 1943, p. 89), in relation to scholarships.

State Administration.

By Mr. Stembridge:

H. 904. To amend Title 14, Section 246, Code of Alabama 1940, so as to authorize domino games in billiard rooms in counties having a population of not less than 50,000 nor more than 54,000.

Local Legislation No. 1.

By Mr. Campbell (Jackson) (With Notice and Proof):

H. 905. Relating to Jackson County, providing for establishment of branch banks or branch offices of banks in Scottsboro.

Local Legislation No. 1.

Notice and Proof H. 905:

NOTICE IS HEREBY GIVEN THAT A BILL SUBSTANTIALLY AS FOLLOWS WILL BE INTRODUCED IN THE LEGISLATURE OF ALABAMA AND APPLICATION FOR ITS PASSAGE AND ENACTMENT WILL BE MADE, TO WIT:

A BILL TO BE ENTITLED
AN ACT

Relating to Jackson County; providing for establishment of branch banks or branch offices of banks in Scottsboro.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. After the effective date of this Act, any established bank which is authorized to do a banking business in and is situated in Scottsboro, Alabama, may with the written consent of the appropriate authority having jurisdiction of its banking operations, open, establish and operate a branch bank, branch office, or place for doing a banking business anywhere in the City of Scottsboro, any other provision of law to the contrary notwithstanding.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately, upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,
COUNTY OF JACKSON

Before me, the undersigned authority in and for said County in said State, this day personally appeared FRED J. BUCHHEIT, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was PUBLISHER of THE SENTINEL AGE, a newspaper of general circulation published in Jackson County Alabama and that the attached notice was published in said newspaper once a week for four

successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 6, June 13, June 20, and June 27, all in the year 1963.

FRED J. BUCHHEIT.

Sworn to and subscribed before me July 5, 1963.

EVELYN TUBBS,
Title Notary Public.

By Mr. Bethea (M):

H. 906. To propose constitutional amendments so as to change the method of apportioning the House of Representatives and the Senate and to provide for revised apportionment at the time these amendments take effect.

Constitution and Elections.

The above bill was read a first time at length as required by the Constitution.

By Mr. Hankins (With Notice and Proof):

H. 907. To repeal Act No. 851, H. 1478, Regular Session 1961 (Acts 1961, p. 1277), which authorizes the court of county commissioners, board of revenue, or other like governing body of Lamar County to levy, when approved by a majority of the qualified voters of the county, special privilege license and excise taxes paralleling the state sales and use taxes, and provide for the collection and enforcement of such taxes by the state department of revenue.

Local Legislation No. 1.

Notice and Proof H. 907:

STATE OF ALABAMA
COUNTY OF LAMAR

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To repeal Act No. 851, H. 1478, Regular Session 1961 (Acts 1961, p. 1277), which authorizes the court of county commissioners, board of revenue, or other like governing body of Lamar County to levy, when approved by a majority of the qualified voters of the county, special privilege license and excise taxes paralleling the state sales and use taxes, and provide for the collection and enforcement of such taxes by the state department of revenue.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Act No. 851, H. 1478, Regular Session 1961 (Acts 1961, p. 1277) "An Act Relating to the levy of additional taxes for certain purposes in Lamar County; authorizing the court of county commissioners, board of revenue, or other like governing body of the county to levy, when approved by a majority of the qualified voters of said county,

special county privilege license and excise taxes paralleling state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore amended and supplemented; providing for the collection and enforcement of such taxes by the state department of revenue," is hereby repealed as of midnight September 30, 1963.

Section 2. All the provisions of said Act 851, H. 1478 pertaining to payment and collection of taxes levied therein, the making of reports and maintenance of records with respect thereto, and in general the enforcement of said Act shall continue to be effective with respect to the taxes therein levied that shall have accrued thereunder before October 1, 1963.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAMAR

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack Hankins, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Lamar Democrat, a newspaper of general circulation published in Lamar County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost of the State of Alabama, said notice having appeared in the issues of said paper in June 27, July 4, July 11, and July 18, all in the year 1963.

JACK HANKINS.

Sworn to and subscribed before me July 19, 1963.

NELLIE RUTH TAGGART,
Title Notary Public.

By Messrs. Hannah and Boston (With Notice and Proof):

H. 908. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Local Legislation No. 1.

Notice and Proof H. 908:

LEGAL NOTICE

State of Alabama
Lauderdale County

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundary lines and corporate limits of the City of Florence in Lauderdale County are hereby altered, rearranged, and extended so as to include within the corporate limits of the city the following described territory situated in Lauderdale County, to-wit:

The South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$; the North $\frac{1}{2}$ of the Southeast $\frac{1}{4}$; the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and all of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ lying Westwardly of Hermitage Drive (formerly Military Road) in section 35 and that part of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ lying Westwardly of Hermitage Drive and Southwardly of ROSE VELDT, a subdivision, plat of which is recorded in the Probate Office of Lauderdale County, Alabama, in Plat Book 2, Page 37, also that part of the Southwest $\frac{1}{4}$ of Northwest $\frac{1}{4}$ lying Southwestwardly of said Rose Veldt in Section 36, all in Township 2 South, Range 11 West and being more particularly described as beginning on the existing city limit line in the center of Rickwood Road at the intersection of the South line of Section 35, Township 2 South, Range 11 West and the West line of the Southeast $\frac{1}{4}$ of said Section 35; thence Northwardly along the West line of said Southeast $\frac{1}{4}$ a distance of 2665.26 feet, more or less, to the Northwest corner of said Southeast $\frac{1}{4}$; thence Eastwardly along the North line of said Southeast $\frac{1}{4}$ a distance of 1320 feet, more or less to the Southwest corner of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 35; thence Northwardly along the West line of said Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ (and along the East line of lots 30 through 35 of Mars Hill Acres, according to the plat thereof recorded in Plat Book 3 at page 23 of aforesaid records), a distance of 660 feet, more or less to the Northwest corner of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 35; thence eastwardly along the North line of the South $\frac{1}{2}$ of the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of said Section 35 (and along the South line of Lots 12 through 26 of said Mars Hill Acres) 1320 feet more or less to the Southeast corner of Lot 12 thereof, being a point on the existing city limit line on the West line of said Rose Veldt, and the West line of Section 36, Township 2, South, Range 11 West; thence South with the existing city limit line and the West line of said Rose Veldt 150 feet more or less to the Southernmost corner of Lot 55 of said Rose Veldt, thence in a generally Southeastwardly direction with the existing city limit line as defined by the Southwestwardly line of said Rose Veldt and the meanderings of a big ditch to the center line of Hermitage Drive (formerly Military Road); thence Southwestwardly along the center line of said Hermitage Drive to its intersection with the center line of Rickwood Road, being the South line of Section 35, Township 2, South, Range 11 West; thence Westwardly along the center line of Rickwood Road, the South line of Section 35 and the existing City limit line to the point of beginning.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Beulah C. Sutton, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was secretary to the publisher of the The Florence Herald, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having

appeared in the issues of said paper on February 21, February 28, March 7, and March 14, all in the year 1963.

BEULAH C. SUTTON,

Sworn to and subscribed before me March 25, 1963.

H. S. MAY,
Title Notary Public.

By Messrs. Hannah and Boston (With Notice and Proof):

H. 909. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the town of Waterloo in Lauderdale County.

Local Legislation No. 1.

Notice and Proof H. 909:

STATE OF ALABAMA
COUNTY OF LAUDERDALE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange, extend, and redefine the boundaries and corporate limits of the town of Waterloo in Lauderdale County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundary lines and corporate limits of the town of Waterloo in Lauderdale County are hereby altered, rearranged, extended, and redefined so as to include within the corporate limits of said town all territory now within such corporate limits, and also certain other additional and adjacent territory in said county, as follows:

All of Sections 6, 7, 20, 25, 33, 34, 35, and 36 in Township 1, Range 15 West. All of Section 2 in Township 2, Range 15 West. All of Sections 30, 31, 32 and 33 in Township 1, Range 14 West. All of Sections 1, 12, and 19 in Township 1, Range 16 West, lying above Pickwick Lake (Tennessee River). All of Sections 18, 19, 29, 30 and 32 in Township 1, Range 15 West, lying above Pickwick Lake (Tennessee River). All of Sections 1, 4, 5, 10, 11, and 12 in Township 2, Range 15 West, lying above Pickwick Lake (Tennessee River). All of Sections 4, 5, and 6 and the West $\frac{1}{2}$ of Sections 3 and 10 in Township 2, Range 14 West, lying above Pickwick Lake (Tennessee River). All lying and being in Lauderdale County, Alabama.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its pas-

sage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF LAUDERDALE

Before me, the undersigned authority in and for said County in said State, this day personally appeared D. H. Bowling, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Advertising Manager of the THE FLORENCE TIMES, a newspaper of general circulation published in Lauderdale County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 21, June 28, July 5, and July 12, all in the year 1963.

D. H. BOWLING,
Advertising Manager.

Sworn to and subscribed before me July 18, 1963.

JAMES C. STUTTS,
Title Notary Public State-At-Large.
My Commission expires June 27, 1967.

By Messrs. Boston, Hannah, Cantrell, Moore, Brown (Tuscaloosa), Campbell (Jackson), Turnham and Thomas:

H. 910. To regulate further hospital and medical care insurance, which includes insurance policies which provide benefits or indemnities on account of hospital, nursing, medical and surgical services; to give hospitals which render hospital care, treatment and maintenance to the insured under such policies a lien on the proceeds thereof; to provide for perfecting the lien and the enforcement and satisfaction thereof; to place certain duties on the insurers under such policies or contracts of insurance and prescribe penalties for omission thereof; and place certain duties on hospitals which accept payments of benefits and indemnities from insurers in satisfaction of their liability under such policies, and to prescribe penalties for hospitals which fail to perform such duties.

Insurance.

By Messrs. Turnham, Harper, Cooper and Young:

H. 911. Relating to the office of Solicitor of the Fifth Judicial Circuit: creating a solicitor's fund for the use of the Circuit Solicitor.

Local Legislation No. 1.

By Messrs. Turnham, Fite, Hannah and Boston:

H. 912. To provide further for payment of compensation to county superintendents of education under certain conditions.

Education.

By Messrs. Turnham, Fite, Hannah and Boston:

H. 913. Relating to the qualifications of county superintendents of

education, amending Act No. 298, H. 32, Regular Session 1959 (Acts 1959, p. 871).

Education.

By Messrs. Turnham, Fite, Hannah and Boston:

H. 914. To fix the compensation of the state superintendent of education, repealing all laws in conflict therewith.

Education.

By Mr. Turner (Limestone) (With Notice and Proof):

H. 915. Relating to Limestone County; to amend further Act No. 120, S. 210, approved July 17, 1947, as amended relating to the office of the tax collector, increasing the compensation of the clerk.

Local Legislation No. 1.

Notice and Proof H. 915:

**STATE OF ALABAMA
COUNTY OF LIMESTONE**

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

Relating to Limestone County; to amend further Act No. 120, S. 210, approved July 17, 1947, as amended relating to the office of the tax collector, increasing the compensation of the clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of said Act No. 120, S. 210, approved July 17, 1947, as amended is amended further to read as follows:

"Section 2. The tax collector may employ a clerk whose salary shall be fixed at three thousand six hundred dollars (\$3,600) per annum. The salary of the clerk shall be paid by the county in the same manner as the salaries of other county employees are paid. The tax collector shall not employ such clerk, unless he shall file on or before October 1 of each year his affidavit showing a necessity for such employee during the ensuing year."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LIMESTONE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Steele McGrew, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was publisher of the The Alabama Courier, a newspaper of general circulation published in Limestone County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

STEELE McGREW.

Sworn to and subscribed before me 16 day of July, 1963.

LOLA L. ORR,
Title Notary Public.

By Mr. Turner (Limestone) (With Notice and Proof):

H. 916. Relating to Limestone County; to amend further Section 2 of Act No. 95, H. 395, approved July 7, 1947, as amended, relating to the office of the tax assessor, increasing the compensation of the regular clerk.

. Local Legislation No. 1.

Notice and Proof H. 916:

STATE OF ALABAMA
COUNTY OF LIMESTONE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Limestone County; to amend further Section 2 of Act No. 95, H. 395, approved July 7, 1947, as amended, relating to the office of the tax assessor, increasing the compensation of the regular clerk.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 2 of Act No. 95, H. 395, approved July 7, 1947, as amended, relating to the office of the tax assessor is amended further to read as follows:

"Section 2. The tax assessor may employ a regular clerk whose salary shall be fixed at thirty-six hundred dollars (\$3600) per year. In addition to the regular clerk the tax assessor may employ a temporary clerk for a period not to exceed three months in any year. The salary of the temporary clerk shall be fixed by the tax assessor at not less than ninety dollars (\$90) nor more than one hundred thirty-five dollars (\$135) per month. The salaries of both clerks shall be paid by the county. The tax

assessor shall not employ either clerk unless he shall file on or before October 1 of each year his affidavit showing a necessity for the employment of clerks during the ensuing year."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PUBLISHER'S AFFIDAVIT

STATE OF ALABAMA
LIMESTONE COUNTY.

Personally appeared before me the undersigned authority in and for said county and state, Steele McGrew, who after being duly sworn deposes and says:

My name is Steele McGrew I am editor and publisher of the Alabama Courier a newspaper of general circulation, published weekly in Athens, Limestone County, Alabama. The copy of publication hereto attached was published in said paper for 4 consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 20 day of June, 1963, and the last copy of said publication appearing in the said paper on the 11 day of July 1963.

STEELE MCGREW.

Sworn and subscribed to before me this 11 day of July 1963.

LOLA L. ORR,
Notary Public.

My Commission Expires 7-16-63.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 917. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq), as heretofore amended, so as to include research projects.

Local Government.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 918. To amend the title to and Sections 1 and 2 of Act No. 756, adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Local Government.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 919. Relating to counties having populations of not less than

110,000 nor more than 160,000; providing for appointment and compensation of a secretary for the circuit court judges.

Local Legislation No. 1.

By Messrs. Pennington, Reynolds and Baker (Madison):

H. 920. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 100,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Local Legislation No. 1.

By Messrs. Fite and Brewer:

H. 921. To make an additional appropriation for payment of expenses of the Legislature.

Ways and Means.

By Messrs. Fite and Brewer:

H. 922. To make an appropriation to the Department of Public Safety for Capital Outlay purposes.

Ways and Means.

By Messrs. Fite and Brewer:

H. 923. To make additional appropriation to the Department of Public Safety.

Ways and Means.

By Mr. Smith:

H. 924. To provide for a program of tax equalization of all real property in any county of the state having a population of not less than 300,000 nor more than 500,000 according to the last or any subsequent federal decennial census; to more fully define the duty, authority and responsibility of the Tax Assessor of such counties in the matter of equalizing assessments of real property within such counties; to provide for the division of such counties into districts for the purpose of tax assessment records; to require that certain records be kept and maintained on a current basis by the Tax Assessor of such counties; to describe the manner in which such records are to be kept; to provide a time within which the equalization program required herein is to be initially completed; to provide for a continuous program of appraisal of real property within such counties; to provide for the assessments of improvements to real property within such counties; to prescribe penalties for failure to assess, or properly assess, improvements to real property within such counties; to provide for a portable set of assessment records for use by appraiser appointed by the Tax Assessor; to set the salaries of the Board of Equalization and to provide the method of payment; to define the duties of the Board of Equalization in such counties in the matter of the equalization of assessments of real property; to provide that no outstanding obligations against the proceeds of any tax derived from assessments of real properties in such counties shall be impaired by the provisions of this Act; to provide for appeals of any assessment made by the Tax Assessor or ruling of the Board of Equalization of such counties;

to provide for the necessary personnel, supplies, materials, and equipment to carry out the provisions of this Act and to provide the manner in which personnel are to be appointed in such counties; to provide for the severability of the provisions of the Act; to repeal all laws or parts of laws in conflict with the provisions of this Act.

Local Legislation No. 3.

By Messrs. Downing, Mashburn, Turner (Crenshaw), Smith, Pierce, Engel, Edington, Goodwyn, Rogers and McDermott:

H. 925. To amend Code of Alabama 1940, Title 29, Section 1, in relation to definitions of terms used in the ABC Act.

State Administration.

By Messrs. McDermott, Engel and Hogan:

H. 926. To amend Act No. 177, H. 97, Special Session 1961 (Acts 1961, v. 2, p. 2142) which regulates the business of selling, issuing or otherwise dispensing checks, drafts, money orders or other instruments for the transmission or payment of money, and the business of receiving money as agent for obligors for the purpose of paying such obligors' bills, invoices, or accounts, as a service or for a fee or other consideration.

Judiciary.

By Messrs. McDermott, Engel, Edington and Rogers:

H. 927. To require certain corporations, associations and other like legal entities when consolidating or merging with another corporation, association or other organization to file a copy of notice of such merger or consolidation in the office of the judge of probate.

Judiciary.

By Messrs. Engel and Fite:

H. 928. To repeal Section 297 of Title 52, Code of Alabama 1940, as amended by Section 3 of Act 117 of the 1956 Special Session of the Legislature, which relates to the required school attendance of children of certain ages.

Ways and Means.

By Messrs. Engel and McDermott:

H. 929. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Local Legislation No. 3.

By Messrs. Smith and Rogers:

H. 930. To provide an expense allowance to members, including the Chairman or President, of County Commissions, Boards of Revenue, Courts of County Commissions, or other Governing bodies of any County in the State having a population of not less than 300,000 and not more than 500,000 inhabitants, according to the last or any subsequent federal decennial census.

Local Legislation No. 3.

By Messrs. Rogers, Edington, Engel and Smith:

H. 931. To further amend Section 4 (a) of act approved September 7, 1955, entitled "An Act to create in any county in this State having a population of not less than 225,000 nor more than 500,000, according to the last or any subsequent Federal decennial census, a domestic relations division of the Circuit Court of such county; defining its jurisdiction and authority; providing it with officers, and prescribing their duties, authority and compensation; regulating its procedure; abolishing the office of judge of the juvenile court in any such counties; and providing that the judge of the domestic relations division of the Circuit Court shall be ex officio judge of the juvenile court" (Act No. 345, S. 291, 1955 Acts Vol. II, p. 783).

Local Legislation No. 3.

By Mr. Rogers:

H. 932. Relating to the recording of certain maps, plats, and deeds in counties having populations of not less than 300,000 nor more than 600,000.

Local Legislation No. 3.

By Mr. Rogers:

H. 933. To amend Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 265), an act relating to the office of license commissioner in counties having populations of not less than 100,000 or more than 500,000.

Local Legislation No. 3.

By Mr. Jones (Monroe):

H. 934. Relating to counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties.

Local Legislation No. 1.

By Mr. Jones (Monroe):

H. 935. Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties.

Local Legislation No. 1.

By Messrs. Pierce, Goodwyn, Goldthwaite and Little (With Notice and Proof):

H. 936. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16N, Range 1E.

Local Legislation No. 1.

Notice and Proof H. 936:

LEGAL NOTICE

Notice is hereby given of the intention to apply to the Legislature of Alabama for passage of a Law in substance as follows:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16N, Range 1E.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That the boundaries of the City of Montgomery, in the County of Montgomery, and State of Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the County of Montgomery, and included in the following described boundaries, to-wit:

Beginning at the point of intersection of the half section line running north and south through Section 10, T16N, R18E, with the north side of the Wares Ferry Road, thence in an easterly direction along the north side of Wares Ferry Road to the southeast corner of the Plat of Hilltop Terrace as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 16, at Page 176; thence north along the east boundary of said Plat of Hilltop Terrace 390 feet; thence east 230 feet; thence north 290 feet to the northeast corner of said Plat, said point being located in the south line of Section 3, T16N, R18E; thence east along the east line of said Section 3 to a point 20 feet east of the Northeast corner of Lot 18, of the Plat of Dalraida, as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book, at Page 61; thence west 20 feet to the northeast corner of said Lot 18, of the Plat of Dalraida; thence west along the north line of said Lot 18 to the east side of Dalraida Road; thence continuing west across Dalraida Road a distance of 50 feet, more or less, to the northeast corner of Dalraida Park Estates, Plat No. 1, as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 11, at Page 21; thence south along the west line of Dalraida Road to the south boundary line of the Plat of Honeysuckle Heights as the same appears of record in the Office of the Judge of Probate of Montgomery County, Alabama, in Plat Book 11, at page 128; thence west along the south boundary of said Plat of Honeysuckle Heights to the half section line running north and south through Section 10, T16N, R18E; thence south along said half section line to its point of intersection with the north side of Wares Ferry Road, being the point of beginning and lying in Montgomery County, Alabama.

Section 2. That all laws or parts of laws in conflict herewith are hereby repealed.

Section 3. That this Act shall take effect immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA COUNTY OF MONTGOMERY

Before me M. R. Crump, a Notary Public in and for said State and County, personally appeared Guyton Parks, General Manager for "The Advertiser Company, Inc.", publishers of the Alabama Journal, a

newspaper published in the City of Montgomery, County of Montgomery, and State of Alabama, who, being by me first duly sworn, deposes and says that the foregoing and attached is a true copy of a "Legal Notice" which appeared in the regular editions of the newspaper published in said City and County of Montgomery on July 1, July 8, July 15, and July 22, 1963.

GUYTON PARKS.

Sworn to and subscribed before me this 22nd day of July, 1963.

M. R. CRUMP,
Notary Public.

By Messrs. Goodwyn, Pierce, Hain, Glass, Engel, Downing, Daniel, Scurlock, Hankins, Sullivan, Callahan, Davis, Boston, Grouby, Camp, Edwards (Escambia), Branyon, Nettles, Jones (Covington), Campbell (Jackson), Turner (Limestone), Bevill, Meeks, Vacca, Thomas, Casey, Salter, Goldthwaite, Merrill, Turnham, Fite, Turner (Crenshaw) and Brewer:

H. 937. To amend Act No. 554, Regular Session 1957, which created a Committee on Aging of the State of Alabama so as to change its name, to increase its membership, to change the method of appointment of the executive officer, and to authorize it to receive gifts, money, and other things of value.

Ways and Means.

By Messrs. Goodwyn, Pierce, Hain, Glass, Engel, Downing, Daniel, Scurlock, Hankins, Sullivan, Callahan, Davis, Boston, Grouby, Camp, Edwards (Escambia), Branyon, Nettles, Jones (Covington), Campbell (Jackson), Turner (Limestone), Bevill, Meeks, Thomas, Casey, Salter, Goldthwaite, Merrill, Turnham, Fite, Turner (Crenshaw), Brewer and Vacca:

H. 938. To make an appropriation to the Commission on Aging of the State of Alabama.

Ways and Means.

By Messrs. Goodwyn, Pierce, Goldthwaite and Little:

H. 939. Relating to the fifteenth judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Local Legislation No. 1.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 940. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office.

Local Legislation No. 1.

Notice and Proof H. 940:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an act fixing the compensation of the tax assessor of Morgan County and providing him clerical assistance, as amended, is amended further to read as follows:

"Section 3. The Board of Revenue and Control, or like governing body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax assessor, but the tax assessor shall select such clerk, deputies and assistants and fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed eleven thousand five hundred dollars (\$11,500) per annum. The tax assessor shall have the right to discharge such clerks, deputies and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County shall pay for all necessary traveling expenses for annual trips over the county as required by law, but the tax assessor shall furnish all necessary drawings, maps, registers and plats as required by law, including land and lot books provided for by sections 66 and 67 of Title 51 of the Code of Alabama of 1940, and the books, commonly known as 'Tax Abstract,' provided for by section 65 of Title 51 of the Code of Alabama of 1940, without compensation, charges, or expense to Morgan County, for the same, or the preparation of the same. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax assessor and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax assessor from time to time as conditions may warrant, not to exceed however the sum of eleven thousand five hundred dollars (\$11,500) per annum.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 19, 1963.

WILMA V. NEWMAN,
Title Notary Public.

My commission expires April 4, 1965.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 941. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance.

Local Legislation No. 1.

Notice and Proof H. 941:

LEGAL NOTICE

STATE OF ALABAMA
COUNTY OF MORGAN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, as amended, is amended further to read as follows:

"Section 3. The Board of Revenue and Control or like governing

body of Morgan County, Alabama, is required, authorized and empowered to provide sufficient equipment, clerks, deputies and other assistants to the tax collector, but the tax collector shall select such clerks, deputies and assistants and shall fix their compensation, but the combined salaries or compensation of such clerks, deputies, and assistants selected by him shall not exceed eleven thousand five hundred dollars (\$11,500) per annum. The tax collector shall have the right to discharge such clerks, deputies, and assistants at will, as they shall serve only at his pleasure. The salaries or compensation of the clerks, deputies and assistants shall be paid in equal semi-monthly installments out of the general funds of Morgan County, upon separate warrants drawn in the same manner as other employees of Morgan County are paid. In addition to the foregoing allowance the Board of Revenue and Control, or like governing body of Morgan County, shall pay for all necessary traveling expenses for annual trips over the county, as required by law, but the tax collector shall furnish all necessary reports, registers, and lists of qualified voters as required by law, without additional charge or compensation therefor. The compensation of the clerks and assistants shall be paid in semi-monthly installments upon their filing with the chairman of the board of written claims therefor, the correctness of which shall be verified by the oath or affirmation of the tax collector and of the clerk or assistant making such claim. The Board of Revenue and Control of Morgan County shall have authority to raise and lower the allowance for the clerks, deputies and other assistants to the tax collector from time to time as conditions may warrant not to exceed, however, the said sum of eleven thousand five hundred dollars (\$11,500) per annum."

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack W. Hoffhaus, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Owner and Publisher of the Hartselle Enquirer, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

JACK W. HOFFHAUS.

Sworn to and subscribed before me July 19, 1963.

WILMA V. NEWMAN,
Title Notary Public.
Commission expires April 4, 1965.

By Mr. Holladay (With Notice and Proof):

H. 942. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Ragland in said county.

Local Legislation No. 1.

Notice and Proof H. 942:

A BILL
TO BE ENTITLED
AN ACT

Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Ragland in said county.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. When permitted by its charter and by-laws, and approved by the State Banking Department and the Federal Deposit Insurance Corporation any bank situated in St. Clair County shall be authorized to open, establish, operate and maintain at Ragland in said county a branch bank, branch office or other place of business for the receipts of deposits, payment of checks, and conducting a general banking business.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

E. R. BLAIR.

Sworn to and subscribed before me July 22nd, 1963.

ETHEL BLAIR,
Title Notary Public.

By Mr. Holladay (With Notice and Proof).

H. 943. To apply in St. Clair County; regulating further the taking of fish from the Coosa River; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Local Legislation No. 1.

Notice and Proof H. 943:

A BILL
TO BE ENTITLED
AN ACT

To apply in St. Clair County; regulating further the taking of fish

from the Coosa River; authorizing the taking of catfish by the use of baskets including wire mesh baskets on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Any resident of St. Clair County duly licensed as provided in this Act may take, capture, and kill catfish from that part of the Coosa River which is located in St. Clair County for his domestic use or consumption by the use of baskets, including wire mesh baskets having a mesh of one and one half inch or more; provided, that no person shall be licensed to fish with more than four such baskets.

Section 2. Any resident of St. Clair County desiring a license to fish for catfish with baskets, including wire mesh baskets, may apply to the probate judge of St. Clair County and shall pay a privilege license tax of one dollar and an issuance fee of 25 cents for each basket to be fished. Such licenses shall not be issued for more than four baskets to any one person, and no license shall be issued to any person holding a commercial fishing license. The probate judge shall issue such license on forms provided by the county governing body, and shall keep a permanent record of all licenses issued and all taxes received. Licenses shall be issued on a calendar year basis, and all licenses issued in any year shall expire on December 31 of that year.

Section 3. One half of all revenues derived from the sale of licenses as provided in this Act shall be paid over to the director of the State Department of Conservation, to be credited to the game and fish fund, and shall be spent for law enforcement work. One half of all revenues derived from the sale of licenses as provided in this Act shall be paid into the general fund of the county. The probate judge shall pay into the general fund of the county all issuance fees collected.

Section 4. It shall be unlawful for any licensee to sell or offer to sell fish taken, captured, or killed in a basket. Any person who violates this section shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law; in addition to such punishment, the court trying the case shall revoke the license of such person.

Section 5. All laws or parts of laws which conflict with this Act are repealed.

Section 6. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 7. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

**STATE OF ALABAMA
COUNTY OF ST. CLAIR**

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the

issues of said paper on June 27, July 4, July 11 and July 18, all in the year 1963.

E. R. BLAIR.

Sworn to and subscribed before me July 22nd, 1963.

ETHEL BLAIR,
Title Notary Public.

By Mr. Holladay:

H. 944. To make an appropriation from the state treasury to the use of the board of education of St. Clair County for the construction and equipment of a new public school building at Chandler Mountain.

Ways and Means.

By Mr. Holladay:

H. 945. To make an appropriation from the state treasury to the use of the board of education of St. Clair County for completing the construction and equipment of a new public school building at Ragland.

Ways and Means.

By Mr. Holladay:

H. 946. To make an appropriation from the state treasury to the use of the board of education of St. Clair County for completing the construction and equipment of a new public school building at Ashville.

Ways and Means.

By Messrs. Turnham, Callahan, Brown (Tuscaloosa) and Campbell (Tuscaloosa):

H. 947. To provide for the creation of the University of Alabama Medical Center and to prescribe its function and powers.

Education.

By Mr. Harper (With Notice and Proof):

H. 948. To provide further for purging the lists of registered voters in Tallapoosa County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a wilful false statement in connection with reidentification.

Local Legislation No. 1.

Notice and Proof H. 948:

STATE OF ALABAMA
COUNTY OF TALLAPOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

**A BILL
TO BE ENTITLED
AN ACT**

To provide further for purging the lists of registered voters in Tallapoosa County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a wilful false statement in connection with reidentification.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The board of registrars of Tallapoosa County is hereby directed to purge all lists of the qualified electors in the county to the end that the names of all persons who are deceased or non-residents of the county or have otherwise become disqualified for voting in Tallapoosa County, shall be removed from such lists and that the name of each qualified elector shall appear only on the list of qualified electors for the beat in which he resides.

Section 2. The board of registrars shall omit and remove from the lists of qualified electors of the county the name of any person who fails to reidentify himself, in the manner prescribed herein, before the first day of January, 1966.

Section 3. Prior to the first day of January, 1966, the board of registrars of Tallapoosa County is hereby authorized, directed, and required to visit each beat in the county at least once, and more often if necessary, and remain there at least one day from nine o'clock in the morning until five o'clock in the afternoon, for the purpose of enabling qualified and registered voters residing in the beat to appear before the board and reidentify themselves. The board shall give at least ten days' notice, by advertisement in a newspaper published in the county, of the time when, and the place in the beat where, they will attend for the purpose of enabling voters to appear and reidentify themselves. Upon failure to give such notice, or to attend any appointment made by them in any beat, they shall, after like notice, fill new appointments. The board shall remain in session for thirty days. During the 30 day session the board shall visit each beat on at least one day and the remainder of the time may be divided as the board of registrars deem necessary to enable the qualified electors of the county to appear and reidentify themselves in the manner prescribed herein.

Section 4. Each member of the board of registrars shall receive ten dollars per day, for each day's attendance upon the special sessions of the board required under the provisions of this Act; but if such special session is held on the same day a regular session is required to be held under the laws of this State, registrars shall receive only one per diem allowed for performing their regular duties, it being the intent and purpose of this Act that registrars shall be entitled to receive only one per diem allowance for one day's service. If one or more of the members of the board shall refuse, neglect, or be unable to serve or if a vacancy or vacancies occur in the membership of the board from any cause the Governor, State Auditor, and Commissioner of Agriculture and Industries, or a majority of them, shall forthwith make other appointments to fill such vacancies.

Section 5. The voter may reidentify himself by appearing in person before the board of registrars or by appearing before the judge of probate, or either of the clerks in the office of the judge of probate, or before the board of registrars in regular session, and answering such

Section 6. The board of registrars shall meet on the first Monday in January 1966, for the purpose of purging the registration lists and the names of all persons who have failed to appear and reidentify themselves by January 1, 1966 in the manner herein prescribed shall be stricken from the lists, provided, however, that said board shall not strike the name of any person, or of the spouse of any person, known by any member of said board, or made known to the said board by the written affidavit of another qualified elector, to be in active duty of any of the armed forces of the United States of America, and to be stationed, or to be living with her or his spouse, as the case may be, outside of Tallapoosa County, Alabama, during the period of time from the effective date hereof to January 1, 1966.

Section 8. The court of county commissioners of Tallapoosa County is hereby authorized, directed, and required to furnish the board of registrars with the supplies, equipment, maps, printed forms, stationery and newspaper advertisements necessary for the reidentification of voters as herein provided. Provided further that the sum of one hundred dollars (\$100) be paid to each member of the board of registrars for expenses in carrying out the provisions of this Act.

VOTERS REIDENTIFICATION QUESTIONNAIRE

Place of Birth.....

Occupation

Name of Employer

I now vote and I am a qualified elector in precinct or Beat No., Box No., Tallapoosa County and I have not been disqualified from voting in this county. I am not a qualified voter in any other county in the State of Alabama or in any other State in the United States.

I have resided in Precinct or Beat No. for the past three months.

Signed
Signature of Voter

Sworn to and subscribed before me this of
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Registrar—Judge of Probate

Section 10. Any person who willfully makes a false statement to the board of registrars or any duly authorized person, in reidentifying himself as a qualified elector in the manner provided herein shall be guilty of perjury, and upon conviction thereof shall be punished by imprisonment in the penitentiary for not less than one nor more than five years.

Section 11. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 12. All laws or parts of laws which conflict with this Act are repealed.

Section 13. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF TALLAPOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared H. Clay Pless, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Dadeville Record, a newspaper of general circulation published in Tallapoosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

H. CLAY PLESS.

Sworn to and subscribed before me July 22, 1963.

J. KIRBY SMITH,
Title Notary Public.

By Messrs. Bevill and Scurlock (With Notice and Proof):

H. 949. To provide for the City of Jasper in Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the Act; imposing penalties for violations; and repealing conflicting laws.

Local Legislation No. 1.

Notice and Proof H 949:

A BILL
TO BE ENTITLED
AN ACT

To provide for the City of Jasper in Walker County a civil service system of governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the Act; imposing penalties for violations; and repealing conflicting laws

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply only in the City of Jasper in Walker County.

Section 2. As used in this Act, unless the context clearly requires a different meaning: "city" means the City of Jasper in Walker County; "employee" means any person including firemen and policemen, not excepted by Section 3 of this Act who is employed in the service of the City of Jasper; "board" means the civil service board created by this Act; "appointing authority" means in the case of employees in the offices of the elected officers of the city, such elected officers; in the case of all other city employees, the city governing body, or the board or other agency supervising their work.

Section 3 The provisions of this Act shall apply to all officers and employees in the service of the city or any board, agency or instrumentality thereof except: (a) elective officers; (b) members of appointive boards, commissions, and committees; (c) all employees of the city board of education engaged in the profession of teaching or in supervising teaching in the public schools; (d) attorneys, physicians, surgeons, nurses and dentists employed in their professional capacities; (e) the judge of any court; (f) independent contractors receiving their remuneration from public funds under contracts awarded by competitive bidding; (g) any person whose employment is subject to the approval of the United States government or any agency thereof.

Section 4. All employees of the city shall be governed by Civil service rules and regulations prescribed in or promulgated pursuant to this Act administered by a civil service board, the creation of which is provided for in Section 5 hereof. Present employees shall remain in their respective employment during good behavior; but nothing herein shall be construed to prevent or preclude the removal of an employee for cause in the manner hereinafter provided; and such employees, except for appointment, shall be subject fully to the provisions of this Act.

Section 5. There is hereby created the Civil Service Board of the City of Jasper, which shall be composed of three members appointed by the Governor, upon nomination in writing by members of the Walker County legislative delegation, as follows: the senator and each representative may submit not more than three nominations for each place to be filled, and the appointment, or appointments, shall be made from among

those persons thus nominated; if the same person is nominated by all members of the delegation the person thus nominated shall be appointed; if the legislative delegation is divided the nominee favored by the majority shall be appointed. If no person receives a majority nomination, each member of the legislative delegation may forthwith submit in writing an additional nominee until some person receives a majority nomination and such person shall be forthwith appointed. Of the first members of the board one shall be appointed for a term of two years, one for a term of four years, and one for a term of six years. No person shall be appointed to the board who is not a resident and qualified elector of the City of Jasper and over the age of twenty-five years. No member of the board shall hold any office of profit under the city, the county, or the State of Alabama. Members of the board shall take the constitutional oath of office, which shall be filed in the office of the probate judge. Vacancies on the board shall be filled for the unexpired term by the Governor, in the same manner as original appointments. Nominations to fill a vacancy must be submitted to the Governor within thirty days after the vacancy occurs, and the Governor must make the appointment forthwith. The members of the Board shall elect a chairman and secretary from among their number. Any member of the Board who becomes a candidate for, or is appointed or elected to another public office vacates his office as a member of the Board and the mayor or other chief executive officer of the City of Jasper shall forthwith notify the Governor, who shall fill the vacancy as provided in this section.

Section 6. Members of the Board shall be paid ten dollars for each regular meeting of the Board attended and ten dollars for each meeting attended at which charges against an employee are heard and determined or at which appeals to the Board by employees are heard and determined; provided, that no member shall be paid more than one hundred twenty dollars in any one year. The board shall have power to appoint clerical assistance and engage legal council of its own choice.

Section 7. The Board shall fix the times for its regular meetings; and it may hold special, adjourned or call meetings at any time. A majority of the members of the Board shall constitute a quorum for the transaction of business. All meetings of the Board shall be held in the city hall.

Section 8. The Board shall keep minutes of its meetings and a record of all business transacted by it. Its records, except those the rules of the Board require to be held confidential for reason of public policy, shall be open for inspection by any resident of the city at all reasonable times.

Section 9. The Board shall have power to make rules and regulations governing examinations, eligible registers, appointments, transfers, salaries, promotions, demotions, annual and sick leave and such other matters as may be necessary to accomplish the purposes of this Act. A rule or regulation may be made effective only after a public hearing is held on the proposal thereof and after a certified copy thereof has been filed with the city clerk. All employees shall be appointed upon a non-partisan merit basis. There shall not be appointed and the Board shall not examine, any person who is not a citizen of the United States. The Board shall 1) classify the different types of services to be performed in the service of the city; 2) prescribe qualifications, including those of education, training, and experience for the appointees and incumbents of each class; 3) with the approval of the appointing authority, fix a maximum and minimum salary for each class and 4) allocate each position in the service to its proper class. It shall provide for the periodic rating of employees according to their merit to determine whether they are maintaining standards of service. The Board shall establish rules and regulations governing dismissals, suspen-

sions, layoffs, terminations, and leaves of absence, and the severance of an employee's relationship with the city shall be in accordance with such regulations.

Section 10. The salary to be paid each subordinate employee shall be determined by his appointing authority; and the salary to be paid each department head employee shall be determined by the city governing body; but in every case the salary paid shall be within the pay plan and pay rules and regulations established by the Board and shall be no more than the Board approves. It shall be unlawful for any official or employee to draw or issue any warrant on the city treasury for the payment of salary to any employee covered by the provisions of this Act unless the warrant is in an amount authorized by the Board to be paid such employee. A sum paid as salary contrary to the provisions of this section may be recovered in an action brought by any resident of the city against the official or employee who draws or issues the warrant, or against the sureties on his bond.

Section 11. The Board shall make and keep a register of all persons eligible and available for appointment to each class of position in the service of the city, ranked according to ability; it is provided, however, that no examination shall be given and no register kept for positions to be filled by persons designated by the Board as common laborers. Layoffs available for re-employment shall be placed at the head of the proper present and subsequent eligible registers in the inverse order of their terminations. Employees who voluntarily terminate their services may be granted reemployment status upon proper eligible registers under such circumstances and in such manner as may be provided for in the Board's rules and regulations, subject, however, to stipulations of this section concerning layoffs. Persons desiring appointment may file application with the Board and the Board shall, from time to time, conduct examinations to test the ability of such applicants. All qualified applicants shall be examined and examinations shall be public, competitive, and subject to limitations specified by the Board as to age, residence, health, height, weight, habits, moral character, and other factors pertinent to ability to discharge the duties of the position, open to all citizens of the United States. Examinations shall be practical in character and shall relate to those matters which test the ability of the person examined to discharge intelligently the duties of the position for which he applies. In no case shall an appointment be made from an eligible register which is more than two years old, and no eligible register shall be the result of more than one examination.

Section 12. Whenever a vacancy exists in any position in the service of the city, it shall be filled by appointment of one of the three persons who rank highest on the appropriate eligible register of the Board or by transfer within the service of the city from another position of the same class. However, the ranking layoff of the same class shall be appointed in every instance. Whenever it is impossible for the Board to certify eligible persons to a vacancy, the Board may authorize the appointing authority to fill the vacancy temporarily pending the establishment of an eligible register. No such authorization may be given for longer than one hundred and twenty days, and no such employee shall have status under this Act. All appointments, other than temporary appointments, shall be probationary for six months from the date of appointment. A probationary subordinate employee may be discharged by his appointing authority for unsatisfactory service at any time before the expiration of that period if the action is approved by the Board; a probationary department head employee may be discharged or demoted similarly by his appointing authority upon approval by the Board. After the expiration of the probationary period, and appointment shall become permanent.

Section 13. An appointing authority shall have authority to suspend an employee for any personal misconduct, or fact, affecting or concerning his fitness or ability to perform his duties in the public interest. In the event an employee is suspended for more than thirty days, he shall be entitled to a public hearing by the Board upon written demand filed within five days from the date of the order of suspension. If, after hearing, the Board determines that the action of the appointing authority was not with cause, the suspension shall be revoked.

Section 14. (a) The governing body of the city, any member of the governing body, or the head of any department or office can remove, discharge, or demote any employee, officer or official of the city who is subject to the provisions of this Act and who is directly under such governing body, member thereof, or department head, provided that within five days a report in writing of such action is made to the Board, giving the reason for such removal, discharge, or demotion. The employee shall have ten days from the time of notification of his discharge, removal, or demotion in which to appeal to the Board. The Board shall thereupon order the charges or complaint to be filed forthwith in writing and shall hold a hearing de novo on such charges. No permanent employee, officer, or official of the city whose employment comes within the jurisdiction of this Act, and whose probationary period has been served, shall be removed, discharged or demoted except for some personal misconduct, or fact, rendering his future tenure harmful to the public interest, or for some cause affecting or concerning his fitness or ability; and if such removal, discharge or demotion is appealed to the Board, then the same will become final only after a hearing upon written charges or complaint has been had and after an opportunity has been given him to face his accusers and be heard in his own defense. Pending a hearing on said appeal, the affected employee may be suspended; and after such hearing the Board may order such employee reinstated, demoted, removed, discharged, or suspended, or take such other disciplinary action as in their judgment is warranted by the evidence and under the law. Charges may be filed by any resident citizen of the city as follows: the charges must be in writing, must set forth succinctly the matters complained of, and must be sworn to before any member of the Board or before any person authorized to administer oaths. Upon the receipt of such charges, the Board, after due consideration, shall determine whether in its opinion it considers that the good of the service will be served by a trial thereon; and, if not, such charges may be dismissed by the Board. If in the judgment of the Board such charges are of a minor nature, such charges may be referred by the Board to the proper department head who shall make an investigation of the charges and make his recommendation to the Board within such time as the Board may prescribe, as to what disciplinary action, if any, should be taken. After such recommendation is made by the department head and after due notice is given to the affected employee of the receipt of such recommendation and the contents thereof, the Board may in its discretion, adopt and order executed the action recommended by the department head or any part thereof. However, if the complaint or the affected employee, or both of them, objects to the recommendation of the department head, the Board shall hold a public hearing de novo on the charges, and take such disciplinary action as in their judgment is warranted by the evidence and under the law. All hearings before the Board shall be open to the public. All testimony given in all hearings before the Board shall be taken down in shorthand by a stenographer. In all cases, the decision of the Board shall be reduced to writing and entered in the record of the case. In all proceedings before the Board, the city attorney may appear and prosecute all charges instituted by the city governing body or any member thereof or by any department head, when requested or directed to do so by such city governing body. It shall not be the duty of the city attorney to prosecute any charges brought by a private citizen. In all proceedings before the Board, the city attorney may appear and represent the interests

of the city and he shall also give such legal advice and legal assistance to the Board as may be requested by it.

The Board and its specially authorized representatives shall have the power to administer oaths, take depositions, certify official acts, and issue subpoenas to compel the attendance of witnesses and production of papers necessary as evidence in connection with any hearing, investigation, or proceeding within the purview of this Act. The chief of police or some other police officer of the city shall serve all processes of the Board, and shall attend upon and preserve order at all public hearings conducted by the Board. In case a person refuses to obey such subpoena, the Board or its representative may invoke the aid of any circuit court in order that the testimony or evidence produced. Upon proper showing, such court shall issue a subpoena or order requiring the person to appear before the board or its representative and produce all evidence and give all testimony relating to the matter in issue. A person who fails to obey such subpoena order may be punished by the court as for contempt. The fees of witnesses for attendance and travel shall be the same as fees for witnesses in the circuit courts of this State, which fees shall be paid from the treasury of the city.

(b) Any person aggrieved by a decision of the Board may appeal such decision to the circuit court of Walker County in equity within thirty days from the rendition of such decision by the Board. Review by the court shall be without a jury and be confined to the record, and to a determination of the questions of law presented; the Board's findings of fact shall be final and conclusive.

Section 15. No employee shall make, solicit or receive any assessment, donation, subscription or contribution for any political purpose whatsoever, or be a member of a committee or an officer of a political party, or take any part in its management or affairs except to exercise his right as a citizen to express his opinion and cast his vote; no employee shall assist any candidate for nomination or election to public office, or make any public statement in support of or against any such candidate, or participate in any manner whatever in the campaign of any candidate in any general or primary election; and no employee shall receive any appointment or advancement as a reward for his support of a candidate for office or a political party; or shall he be dismissed, suspended or reduced in rank or pay as punishment for his failure to support any candidate for political office.

Section 16. The compensation and all other expenses of the Board arising under the provisions hereof shall be paid from funds of the city on the order of the Board in the same manner as other city salaries and expenses are paid, provided, however, that the total expenditures in any one year shall not exceed three thousand dollars (\$3,000.00) without the approval of the city governing body. The city governing body shall provide the Board an office in the city hall, which shall be suitably equipped and furnished for the needs of the Board, and telephone service, postage, office supplies, and stationery.

Section 17. Any person in the service of the city by appointment under civil service rules or regulations who wilfully violates any provisions of this Act, or any rule or regulation issued in pursuance thereof, shall be dismissed from service under the system and shall not be reappointed for two years.

Section 18. Any person who violates any of the provisions of this Act shall be guilty of a misdemeanor.

Section 19. The provisions of this Act are severable. If any part of

the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 20. All laws or parts of laws which conflict with this Act are repealed.

Section 21. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State this day personally appeared Richard Dowis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 24, July 1, July 8, and July 15, all in the year 1963.

RICHARD DOWIS.

Sworn to and subscribed before me July 15, 1963.

FAY O'REAR.
Title Notary Public.

By Mr. Bevill:

H. 950. To provide for the appointment of counsel for indigent defendants at the expense of the State in certain noncapital criminal cases and in certain other cases involving the life and liberty of those charged or convicted of crimes, on trial and on appeal; to make an appropriation; from the General Fund for carrying out the purposes of this Act and to make expenditures therefrom subject to the approval of the Governor and the condition of the General Fund.

Judiciary.

By Mr. Bevill:

H. 951. To provide for the furnishing of indigent convicted defendants in criminal cases and in certain other related proceedings involving life, liberty or property of those convicted of crime of a record and transcript of evidence for appeal at the expense of the State; to state the purposes of this act; to define the cases to which this act is applicable; to prescribe the manner and time for indigents to apply for transcripts on appeal; to prescribe the manner of proceedings and disposition by the trial court of petition for such transcripts on appeal; to provide for conditions under which an abridged record may be ordered; to provide for the trial court to order all or a part of the cost of the transcript on appeal, including court reporters' fees and clerks' fees to be paid out of the general fund of the State treasury, and to require the appellant to pay part of the cost if he is able; to make special provisions for appeals now pending, or where the time for appeal has not expired; to provide for a review of a denial of a petition by the trial court; to provide for a judgment to be entered against an unsuccessful appellant to pay the fees of the clerk and court reporter by the State, and that such fees shall be

paid into the general fund of the State; to provide further for an additional sentence for hard labor for the county or imprisonment in the penitentiary at a certain rate if said payment is not made; to authorize the Supreme Court with the advice and consultation of the Court of Appeals to make rules to accomplish the purposes of this act, and to also so authorize circuit courts and other courts having jurisdiction hereunder; to appropriate annually out of the general fund of the State treasury an amount sufficient to pay said court reporters and clerks and to carry out the provisions of this act, said appropriation being subject before disbursement to the approval of the Governor and contingent upon the opinion of the Governor of the condition of the State treasury; to repeal Act No. 62, Acts of Alabama 1961, page 1930, approved September 15, 1961, entitled "An Act to provide for the furnishing of transcripts of evidence for appeals in criminal cases where defendant, appellant is indigent; . . .", etc., with certain exceptions; and to provide for the effective date of this act.

Judiciary.

By Mr. Wood:

H. 952. Relating to counties having populations of not less than 15,300 nor more than 15,400; levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Local Legislation No. 1.

By Mr. Posey (With Notice and Proof):

H. 953. To amend Section 1 of Act No. 94, H. 250, Regular Session 1957 (Acts 1957, v. 1, p. 134), an act relating to the compensation of the superintendent of education of Winston County.

Local Legislation No. 1.

Notice and Proof H. 953:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To amend Section 1 of Act No. 94, H. 250, Regular Session 1957 (Acts 1957, v. 1, p. 134), an act relating to the compensation of the superintendent of education of Winston County. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1 of Act No. 94, H. 250 Regular Session 1957, entitled "An Act to provide further for the salary and compensation of the superintendent of education of Winston County," is hereby amended to read as follows:

"Section 1. The county superintendent of education of Winston

County shall be entitled to receive such salary, not exceeding ten thousand dollars per annum, as the county board of education may prescribe. The salary of the superintendent shall be paid in the same manner as is provided by the general laws of Alabama for the payment of salaries of county superintendents of education. In addition to the salary, the county board of education may fix, approve and authorize the payment of traveling expenses and other expenses incurred by the superintendent of education in the performance of his official duties, both within and without the county."

PUBLISHER'S AFFIDAVIT.

STATE OF ALABAMA,

Winston County.

Personally appeared before me the undersigned authority in and for said County and State, Jay Thornton, who after being duly sworn deposes and says:

My name is Jay Thornton. I am editor and publisher of The Daily Northwest Alabamian a newspaper of general circulation published in Haleyville, Winston County, Alabama. The copy of publication hereto attached was published in said paper for Four (4) consecutive weeks, the first copy of said notice appearing in the issue of said paper published on the 18th day of June 1963, and the last copy of said publication appearing in the said paper on the 9th day of July 1963.

JAY THORNTON.

Sworn and subscribed to before me this 9th day of July 1963.

R. J. THORNTON,
Notary Public.

By Mr. Posey (With Notice and Proof):

H. 954. To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the Town of Addison, Alabama, in Winston County, Alabama, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of the Town of Addison, Alabama to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Local Legislation No. 1.

Notice and Proof H. 954:

STATE OF ALABAMA
COUNTY OF WINSTON

NOTICE is hereby given that a bill substantially as follows will be introduced in the legislature of Alabama and application for its passage and enactment will be made to-wit:

A BILL TO BE ENTITLED AN ACT:

To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the Town of Addison, Alabama, in Winston County, Alabama, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of the Town of Addison, Alabama to prescribe the power, duties,

and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State Department of Revenue is hereby authorized, directed, and required to collect any sales and use taxes which may be levied in the Town of Addison, Alabama, in Winston County, under the provisions of any municipal ordinance or resolution duly promulgated and adopted by the governing body of the Town of Addison. Such municipal sales and use taxes shall be collected by the department at the same time and along with the collection by the department of taxes levied and collected for the State of Alabama under the provisions of Articles 10 and 11, Chapter 20, Title 51 Code of Alabama (1940) as amended, and all reports now required to be made to the Commissioner of Revenue, shall on request of the Department of Revenue, be available for inspection by the governing body of the Town of Addison, Ala., or its designated agent, at reasonable times during business hours. The State Department of Revenue shall prepare and distribute such reports, forms and other information as may be necessary for the collection of such municipal sales and use taxes, and shall have all authority and duties in connection with such taxes as are now given by law to the Department of Revenue or the Commissioner of Revenue in connection with the collection of the State's sales and use taxes provided for by Articles 10 and 11 of Chapter 20, Title 51, Code of Alabama (1940) as amended. It shall be the duty of the Commissioner of Revenue to pay into the State treasury all such taxes collected, for the Town of Addison under this Act and on or before the first day of the following month, the Commissioner shall certify to the Comptroller the amount of special taxes levied and collected under the provisions of this Act for the use, and benefit of the Town of Addison during the calendar month immediately preceding the making of such certificate. Whereupon it shall be the duty of the Comptroller to issue payable as follows, for the amount so certified by the Commissioner his warrant on the State Treasurer, of Revenue as having been collected for the use of the Town of Addison, Ala., and paid into the State treasury; and the amount so certified by the Commissioner of Revenue as having been collected for use of such city shall be paid to the treasurer or other custodian of funds to the Town of Addison, Alabama for collecting such municipal sales and use taxes a percentage of said taxes to be computed on the same basis as the total costs of collecting the state sales and use taxes bears to the total of said states sales and use taxes collected for each fiscal year ending September, 30th. Such charge for collecting such municipal sales and use taxes shall be deducted once each year from the taxes collected in the month of September of each year before certifying the amount of such taxes due to the town of Addison, Ala., for said month. The Department of Revenue shall have full authority to employ such special counsel as it deems necessary from time to time to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of this Act, including any litigation involving this Act and; the Department of Revenue shall pay such special council such fees as it deems necessary and proper from the proceeds of the taxes collected by it for the Town of Addison under the provisions of this Act.

Section 2. The Provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This act shall become effective on the first day of the first month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF WINSTON

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jay Thornton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Northwest Alabamian, a newspaper of general circulation published in Haleyville, Winston County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on May 24, May 31, June 7, and June 14, all in the year 1963.

J. THORNTON.

Sworn to and subscribed before me July 22, 1963.

HAYGOOD THORNTON,
Title Notary Public.

By Messrs. Salter, Edwards (Escambia) and Jones (Monroe):

H. 955. To authorize and create an additional judge of the Twenty-first Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications; to render him liable to all the pains and penalties of the other circuit judges of the state; to provide for the designation of each of the two offices of circuit judge of said circuit by number and to provide for the salary of said judge.

Judiciary.

By Mr. Wood:

H. 956. Relating to public health, providing for the payment of pensions to certain medical doctors from the general fund of the state.

Ways and Means.

NOTICE IN WRITING

Messrs. Perry, Morrow, Rast, Etheredge, Dominick, Meeks, Brown (Jefferson), Sessions, Vacca, Bowers, Bailes, Collins, Rogers, Hogan, McDermott, Engel, Smith, Downing, Edington and Fields filed the following Notice in Writing:

Notice is hereby given in accordance with House Rule 42 that on the next legislative day a motion will be made that the standing committee on Constitution and Elections be directed to act on the bill, H. 280, and to report the same to the House at its next sitting.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Collins:

H. J. R. 95. WHEREAS, John Clifford Giles, a native son of Alabama has distinguished himself by contributing his literary talents to the people of Alabama and the entire country, and

WHEREAS, John Clifford Giles, has recently brought credit and honor to himself by collaborating with Bruce Palmer in the writing and publishing of the novel, HORSESHOE BEND, the story of the Creek Nation which was vanquished on an Alabama battleground in 1814, and

WHEREAS, the novel is soon to be filmed and will bring further credit to John Clifford Giles and the State of Alabama; now therefore,

BE IT RESOLVED BY THE ALABAMA LEGISLATURE, BOTH HOUSES CONCURRING, That we recognize and honor John Clifford Giles as an author and loyal native son of Alabama.

On motion of Mr. Collins the rules were suspended and H.J.R. 95 was adopted.

Also:

By Messrs. Pennington, Reynolds and Baker (Madison):

H. J. R. 96. WHEREAS, Our friend and colleague, Honorable Joe S. Foster, Jr, of Madison County underwent a serious operation recently and is now confined to the Huntsville Hospital in Huntsville, Alabama; and

WHEREAS, Mr. Foster had served with distinction as a member of the Senate of the State of Alabama during the Persons Administration; and

WHEREAS, Mr. Foster had served both notably and admirably as a member of the Public Service Commission during the Patterson Administration; now

THEREFORE BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, That the Legislature of Alabama expresses its concern over the welfare and condition of this outstanding statesman in recognition of his many years of devoted and esteemed service to his state and fellowman and wishes for him a rapid recovery.

BE IT FURTHER RESOLVED That the Clerk of the House be directed to send a copy of this Resolution to Honorable and Mrs. Joe S. Foster, Jr.

On motion of Mr. Pennington the rules were suspended and H.R. 96 was adopted.

Also:

By Mr. Pennington:

H. J. R. 97. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the two Houses adjourn today, they adjourn to meet again on Thursday, July 25, 1963, and when they adjourn Thursday, July 25, 1963, they adjourn to meet again on Tuesday, July 30, 1963.

Mr. Pennington moved to suspend the rules and adopt the resolution, H.J.R. 97.

Mr. Perry called for a division of the question.

Mr. Pennington then moved to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 97, and said motion was lost.

Yeas 54; Nays 34.

Yeas:

Messrs.	Downing	Hogan	Posey
Avery	Drake	Holladay	Powell
Bailes	Edington	Jones (Monroe)	Rast
Baker (DeKalb)	Edwards (Escambia)	Locke	Reynolds
Baker (Madison)	Edwards (Lowndes)	McDermott	Rogers
Barnett	Engel	Martin	Salter
Bethea (M)	Etheredge	Meeks	Scurlock
Bowers	Faulk	Merrill	Smith
Camp	Fields	Moore	Steagall
Campbell (Tuscaloosa)	Fite	Morrow	Thomas
Cantrell	Goodwyn	Nabors	Turner (Crenshaw)
Carr	Grouby	NeSmith	Vacca
Collins	Hankins	Nettles	Wood
Daniel	Hester	Pennington	

—54

Nays:

Mr. Speaker	Cates	Hannah	Perry
Albea	Cooper	Harper	Pierce
Bevill	Cornett	Hawkins	Pruitt
Boston	Crawford	Jones (Covington)	Sessions
Branyon	Davis	McCorquodale	Stembridge
Brown (Tuscaloosa)	Doggett	Mashburn	Sullivan
Burnham	Dominick	Owens	Turner (Limestone)
Campbell (Jackson)	Glass	Paulk	Turnham
Casey	Hain		

—34

And the resolution, H.J.R. 97, was read and referred to the Standing Committee on Rules.

MOTION TO RECESS LOST

The motion of Mr. Hester that the House recess for fifteen minutes was lost.

Yeas 37; Nays 50.

Yeas:

Messrs.	Camp	Etheredge	Morrow
Bailes	Campbell (Tuscaloosa)	Faulk	Nabors
Baker (Madison)	Cantrell	Fite	NeSmith
Bethea (B)	Collins	Hankins	Nettles
Bethea (M)	Downing	Holladay	Perry
Bolton	Edington	Jones (Monroe)	Posey
Boston	Edwards (Escambia)	Martin	Reynolds
Bowers	Edwards (Lowndes)	Meeks	Scurlock
Brown (Tuscaloosa)	Engel	Moore	Smith
Burnham			

—37

Nays:

Mr. Speaker	Barnett	Branyon	Callahan
Albea	Bassett	Brown (Jefferson)	Campbell (Jackson)
Baker (DeKalb)	Bevill	Burns	Carr

Cates	Hannah	Mashburn	Sullivan
Cook	Harper	Merrill	Teel
Cooper	Hawkins	Owens	Thomas
Cornett	Heflin	Paulk	Turner (Crenshaw)
Crawford	Hogan	Pierce	Turner (Limestone)
Daniel	Jones (Covington)	Rast	Turnham
Davis	Little	Rogers	Vacca
Glass	Locke	Steagall	Wood
Goodwyn	McCorquodale	Stembridge	Young
Hain	McDermott		

RESOLUTIONS

The following resolutions were introduced:

By Mr. Sullivan:

H. J. R. 98. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That part of State Highway No. 159 leading from U .S. Highway 82 at Gordo to the Fayette County line shall be named the Lewis Davis Highway in recognition of Dr. Lewis Davis, former county commissioner of Pickens County, who was instrumental in having this farm to market road made a state highway; and the State Highway Department shall cause appropriate markers to be erected along said highway designating its name.

On motion of Mr. Sullivan the rules were suspended and H.R. 98 was adopted.

Also:

By Messrs. Bolton and Camp:

H. J. R. 99. WHEREAS Mr. Newman Franklin Nunnelley, superintendent of schools in Talladega County, passed away on July 6, 1963; and

WHEREAS Mr. Nunnelley devoted his life to a long and successful career in the educational field and to public school administration in particular, having served as a principal in the public schools of the state from 1930 to 1947 since which time he had held the position of superintendent of schools in Talladega County for sixteen years until his untimely death; and

WHEREAS Mr. Nunnelley was an eminently qualified administrator by education as well as by experience being a graduate of Jacksonville State Teachers College and the University of Alabama from which institutions he was awarded the B.S. and M.A. degrees respectively, and having studied further at Columbia University; and

WHEREAS Mr. Nunnelley had a wide variety of interests and was a leader or key mover in many activities. At Holt High School he organized Hi-Y and Tri-Y Clubs for boys and girls, the National Honor Society, and the school band. He also taught a bible class and served on the Board of Deacons at the Holt Baptist Church. At Talladega he was active in the Citizens for Progress Movement; served on the rural scouting committee of the National Boy Scouts of America of which he was a member; contributed immeasurably to the work of 4-H Clubs and the F.F.A.; was a member and director of the Kiwanis Club; deacon of the First Baptist Church; member of the Chamber of Commerce; secretary and later director of the United Givers Fund; vice-chairman and member of the

executive committee of the American Red Cross; member of the Citizen's Advisory Committee to the Program Board of the American Educational Television Committee; and had recently been elected president of the Alabama Association of School Administrators after having previously served so ably as secretary-treasurer; now therefore,

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That the State of Alabama suffered a severe loss in the passing of Mr. Nunnelley who contributed so much to our people and particularly to our youth.

BE IT FURTHER RESOLVED that this body extends its deepest regret and sincere sympathy to the surviving members of Mr. Nunnelley's family.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Newman Franklin Nunnelley and a copy to the members of the Talladega County board of education.

On motion of Mr. Bolton the rules were suspended and H.J.R. 99 was adopted.

SUPREME COURT ADVISORY OPINION

STATE OF ALABAMA
COUNTY OF MONTGOMERY

I, J. Render Thomas, as Clerk of the Supreme Court of Alabama, do hereby certify that the foregoing pages numbered from one to three, inclusive, contain a full, true and correct copy of the Opinion of the Justices in response to request by the House of Representatives for an advisory opinion on House Joint Resolution No. 86 as set out in House Joint Resolution No. 90.

WITNESS, J. Render Thomas, Clerk
of the Supreme Court of Alabama,
this the 23rd day of July, 1963.

J. Render Thomas
Clerk of the Supreme Court of
Alabama

SUPREME COURT ADVISORY OPINION

Received, read and ordered filed.

BILLS ON THIRD READING RESUMED

SPECIAL ORDER

H. 261. Relating to the compensation of circuit judges in Alabama.

Was taken up.

Mr. Goodwyn offered the following amendment to the bill, H. 261:

Amend HB 261 by striking the words and figures Eighteen Thousand

Dollars (\$18,000) wherever they appear therein and inserting in lieu thereof the words and figures Fifteen Thousand Dollars (\$15,000).

And the amendment was adopted.

Yeas 78; Nays 10.

Yeas:

Mr. Speaker	Cook	Hogan	Posey
Albea	Cooper	Holladay	Powell
Bailes	Cornett	Jones (Monroe)	Pruitt
Baker (DeKalb)	Crawford	Little	Rast
Bassett	Daniel	Locke	Reynolds
Bethea (B)	Doggett	McDermott	Rogers
Bethea (M)	Dominick	Martin	Scurlock
Bevill	Downing	Mashburn	Smith
Blanton	Drake	Meade	Steagall
Boston	Edington	Meeks	Stembridge
Branyon	Edwards (Escambia)	Merrill	Sullivan
Brown (Jefferson)	Engel	Moore	Teel
Burnham	Etheredge	Morrow	Thomas
Burns	Faulk	NeSmith	Turner (Crenshaw)
Camp	Fields	Nettles	Turner (Limestone)
Callahan	Gilmore	Owens	Turnham
Campbell (Jackson)	Glass	Paulk	Vacca
Casey	Goodwyn	Pennington	Wood
Cates	Hankins	Pierce	Young
Collins	Hannah		

—78

Nays:

Messrs.	Campbell (Tuscaloosa)	Hawkins	Jones (Covington)
Avery	Fite	Heflin	Perry
Barnett	Hain	Hester	

—10

Mr. Hester offered the following amendment to the bill, H. 261, as amended:

Amendment to H. B. 261

In Section 1, strike out the words and figures "Fifteen Thousand Dollars (\$15,000) and insert "fifty thousand dollars (\$50,000)

On motion of Mr. Goodwyn the amendment offered by Mr. Hester was laid upon the table.

Yeas 77; Nays 10.

Yeas:

Mr. Speaker	Boston	Cook	Engel
Albea	Branyon	Cooper	Etheredge
Bailes	Brown (Jefferson)	Cornett	Faulk
Baker (DeKalb)	Burnham	Crawford	Fite
Bassett	Burns	Daniel	Gilmore
Bethea (B)	Callahan	Downing	Goodwyn
Bethea (M)	Camp	Drake	Hain
Bevill	Campbell (Jackson)	Edington	Hankins
Blanton	Casey	Edwards (Escambia)	Hannah
Bolton	Collins	Edwards (Lowndes)	Hawkins

Hester	Merrill	Pruitt	Sullivan
Hogan	Morrow	Rast	Teel
Holladay	NeSmith	Reynolds	Thomas
Jones (Monroe)	Nettles	Rogers	Turner (Crenshaw)
Locke	Owens	Scurlock	Turner (Limestone)
McCorquodale	Paulk	Sessions	Turnham
McDermott	Pennington	Smith	Vacca
Mashburn	Perry	Steagall	Wood
Meade	Pierce	Stembridge	Young
Meeks			

—77

Nays:

Messrs.	Cantrell	Little	Powell
Avery	Heflin	Moore	Salter
Barnett	Jones (Covington)	Posey	

—10

Mr. Scurlock offered the following amendment to the bill, H. 261, as amended:

Amendment to H.B. 261

In Section 1, strike out the words and figures "fifteen Thousand Dollars (\$15,000)" and insert "fourteen thousand dollars (\$14,000)"

On motion of Mr. Goodwyn the amendment offered by Mr. Scurlock was laid upon the table.

Yeas 64; Nays 26.

Yeas:

Mr. Speaker	Crawford	Little	Pruitt
Bailes	Daniel	Locke	Rast
Baker (DeKalb)	Dominick	McCorquodale	Reynolds
Bassett	Downing	McDermott	Rogers
Bethea (B)	Drake	Mashburn	Sessions
Blanton	Edington	Meade	Smith
Bolton	Engel	Meeks	Steagall
Boston	Etheredge	Merrill	Stembridge
Bowers	Faulk	Moore	Teel
Brown (Jefferson)	Fite	Morrow	Thomas
Burnham	Gilmore	NeSmith	Turner (Crenshaw)
Callahan	Goodwyn	Paulk	Turner (Limestone)
Campbell (Jackson)	Hain	Pennington	Turnham
Collins	Hannah	Perry	Vacca
Cook	Hogan	Pierce	Wood
Cornett	Jones (Monroe)	Posey	Young

—64

Nays:

Messrs.	Burns	Edwards (Escambia)	Jones (Covington)
Albea	Camp	Edwards (Lowndes)	Nettles
Avery	Campbell (Tuscaloosa)	Hankins	Owens
Barnett	Cantrell	Harper	Powell
Bevill	Casey	Hawkins	Salter
Branyon	Cates	Heflin	Scurlock
Brown (Tuscaloosa)	Doggett	Holladay	

—26

Mr. Salter offered the following amendment to the bill, H. 261, as amended:

Amendment to H. B. 261

In Section 1, strike out the words "fifteen thousand dollars" and insert "thirteen thousand dollars"

On motion of Mr. Goodwyn the amendment offered by Mr. Salter was laid upon the table.

Yeas 58; Nays 31.

Yeas:

Mr. Speaker	Cooper	Hawkins	Posey
Bailes	Cornett	Hogan	Pruitt
Bassett	Crawford	Jones (Monroe)	Reynolds
Bethea (B)	Dominick	Locke	Rogers
Blanton	Downing	McDermott	Sessions
Bolton	Drake	Mashburn	Steagall
Boston	Edington	Meade	Stembridge
Bowers	Engel	Meeks	Teel
Brown (Jefferson)	Etheredge	Merrill	Thomas
Burnham	Faulk	Morrow	Turner (Crenshaw)
Callahan	Fite	NeSmith	Turner (Limestone)
Campbell (Jackson)	Giimore	Paulk	Turnham
Casey	Goodwyn	Fennington	Vacca
Collins	Hain	Perry	Wood
Cook	Hannah		

—58

Nays:

Messrs.	Camp	Edwards (Lowndes)	Jones (Covington)
Albea	Campbell (Tuscaloosa)	Glass	McCorquodale
Avery	Cantrell	Grouby	Nettles
Baker (DeKalb)	Carr	Hankins	Owens
Barnett	Cates	Harper	Powell
Branyon	Daniel	Heflin	Salter
Brown (Tuscaloosa)	Doggett	Hester	Scurlock
Burns	Edwards (Escambia)	Holladay	Young

—31

And said bill, H. 261, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 18.

Yeas:

Mr. Speaker	Burnham	Cornett	Fields
Bailes	Burns	Crawford	Fite
Baker (DeKalb)	Callahan	Daniel	Gilmore
Bassett	Camp	Dominick	Goodwyn
Bethea (B)	Campbell (Jackson)	Downing	Hain
Bevill	Cantrell	Drake	Hannah
Blanton	Carr	Edington	Hawkins
Bolton	Casey	Edwards (Escambia)	Hogan
Boston	Collins	Engel	Holladay
Bowers	Cook	Etheredge	Jones (Monroe)
Brown (Jefferson)	Cooper	Faulk	Locke

McCorquodale	Nabors	Pruitt	Teel
McDermott	NeSmith	Rast	Thomas
Martin	Nettles	Rogers	Turner (Crenshaw)
Mashburn	Owens	Sessions	Turner (Limestone)
Meade	Paulk	Smith	Turnham
Meeks	Pennington	Steagall	Vacca
Merrill	Perry	Stembridge	Wood
Moore	Pierce	Sullivan	Young
Morrow	Posey		

—78

Nays:

Messrs.	Brown (Tuscaloosa)	Hankins	Little
Albea	Campbell (Tuscaloosa)	Harper	Powell
Avery	Cates	Heflin	Salter
Barnett	Edwards (Lowndes)	Hester	Scurlock
Branyon	Glass	Jones (Covington)	

—18

And the bill:

H. 734. To amend Section 1 of Act No. 912, Regular Session 1961, H. 1292, approved September 8, 1961, entitled "An Act To Amend Section 348 Title 51, Code of Alabama 1940, and to repeal all laws, and parts of laws, General or Special, in Conflict Herewith," which Act and this Amendment thereto relate to the imposition of a franchise tax on foreign corporations doing business in the State based on the actual amount of its capital employed in the State, defining capital, providing for a method of determining the actual amount of its capital so employed and establishing such determination as a rebuttable presumption as to the actual amount of its capital so employed, providing for exclusions and deductions from the amount of capital so determined and repealing all laws and parts of laws in conflict herewith.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 75; Nays 13.

Yeas:

Mr. Speaker	Cooper	Harper	Powell
Avery	Crawford	Hawkins	Pruitt
Bailes	Daniel	Hogan	Rast
Baker (DeKalb)	Davis	Holladay	Reynolds
Barnett	Downing	Jones (Covington)	Rogers
Bassett	Drake	Jones (Monroe)	Salter
Bethea (B)	Edington	Little	Sessions
Bevill	Edwards (Escambia)	McCorquodale	Smith
Blanton	Edwards (Lowndes)	McDermott	Steagall
Boston	Engel	Meade	Stembridge
Branyon	Faulk	Meeks	Sullivan
Brown (Jefferson)	Fields	Moore	Teel
Burns	Fite	Nabors	Thomas
Callahan	Gilmore	NeSmith	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Turnham
Cantrell	Goldthwaite	Pennington	Vacca
Cates	Goodwyn	Perry	Wood
Collins	Hain	Pierce	Young
Cook	Hannah	Posey	

—75

Nays:

Messrs.	Bowers	Casey	Morrow
Albea	Brown (<i>Tuscaloosa</i>)	Mashburn	Scurlock
Bethea (M)	Burnham	Merrill	Turner (<i>Limestone</i>)
Bolton	Camp		

—13

And the bill:

H. 709. (With Amendment). To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H. B. 709

Amend H. B. 709 by striking therefrom Section 2 of said bill and inserting in lieu therefor the following:

"Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law."

And the amendment was adopted.

Yeas 83; Nays 6.

Yeas:

Mr. Speaker	Collins	Harper	Powell
Albea	Cook	Hawkins	Pruitt
Bailes	Cooper	Hester	Rast
Barnett	Cornett	Hogan	Reynolds
Bassett	Crawford	Jones (<i>Monroe</i>)	Rogers
Bethea (B)	Daniel	Little	Salter
Bethea (M)	Davis	McCorquodale	Scurlock
Bevill	Downing	McDermott	Sessions
Boston	Drake	Martin	Smith
Bowers	Edington	Meade	Steagall
Brown (<i>Jefferson</i>)	Edwards (<i>Escambia</i>)	Meeks	Stembridge
Burnham	Engel	Merrill	Sullivan
Burns	Etheredge	Moore	Teel
Callahan	Faulk	Morrow	Thomas
Camp	Fite	Nabors	Turner (<i>Crenshaw</i>)
Campbell (<i>Jackson</i>)	Gilmore	Nettles	Turner (<i>Limestone</i>)
Campbell (<i>Tuscaloosa</i>)	Glass	Owens	Turnham
Cantrell	Goodwyn	Paulk	Vacca
Carr	Grouby	Perry	Wood
Casey	Hain	Pierce	Young
Cates	Hannah	Posey	

—83

Nays:

Messrs.	Goldthwaite	Jones (<i>Covington</i>)	NeSmith
Bolton	Heflin	Mashburn	

—6

Mr. Camp offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, strike out the words "from the Alabama special educational trust fund" and insert "from the general fund"

On motion of Mr. Thomas the amendment offered by Mr. Camp was laid upon the table.

Yeas 63; Nays 24.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Avery	Crawford	Harper	Perry
Bailes	Daniel	Hawkins	Pierce
Barnett	Davis	Hester	Powell
Bassett	Dominick	Hogan	Pruitt
Bevill	Downing	Locke	Rast
Blanton	Drake	McCorquodale	Sessions
Boston	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Martin	Stembridge
Brown (Tuscaloosa)	Engel	Meeks	Teel
Callahan	Etheredge	Merrill	Thomas
Campbell (Tuscaloosa)	Faulk	Morrow	Turner (Crenshaw)
Cantrell	Fite	Nabors	Turnham
Cates	Gilmore	Nettles	Vacca
Collins	Grouby	Owens	Wood
Cook	Hain	Paulk	

—63

Nays:

Messrs.	Carr	Goodwyn	NeSmith
Albea	Casey	Heflin	Posey
Baker (DeKalb)	Cornett	Jones (Covington)	Rogers
Bolton	Doggett	Little	Salter
Branyon	Edington	Mashburn	Scurlock
Burnham	Goldthwaite	Moore	Turner (Limestone)
Camp			

—24

Mr. Bolton offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, strike out the words "from the Alabama special educational trust fund" and insert "from the state insurance fund"

On motion of Mr. Thomas the amendment offered by Mr. Bolton was laid upon the table.

Yeas 62; Nays 23.

Yeas:

Mr. Speaker	Bassett	Brown (Jefferson)	Cantrell
Avery	Bevill	Brown (Tuscaloosa)	Cates
Bailes	Blanton	Callahan	Collins
Barnett	Boston	Campbell (Tuscaloosa)	Cook

Cooper	Gilmore	Martin	Rast
Crawford	Glass	Merrill	Reynolds
Daniel	Grouby	Morrow	Sessions
Davis	Hain	Nabors	Steagall
Drake	Hannah	Nettles	Stembridge
Edington	Harper	Owens	Teel
Edwards (Escambia)	Hawkins	Paulk	Thomas
Edwards (Lowndes)	Hester	Pennington	Turner (Crenshaw)
Engel	Hogan	Perry	Turnham
Etheredge	Locke	Pierce	Vacca
Faulk	McCorquodale	Pruitt	Wood
Fite	McDermott		

—62

Nays:

Messrs.	Camp	Heflin	Posey
Albea	Casey	Jones (Covington)	Rogers
Baker (DeKalb)	Cornett	Little	Salter
Bolton	Doggett	Mashburn	Scurlock
Branyon	Downing	Moore	Turner (Limestone)
Burnham	Goldthwaite	NeSmith	Young

—23

Mr. Bolton offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, add the following at the end thereof:

The appropriation is conditional upon the condition of the Alabama special educational trust fund and upon payment in full of all absolute appropriations made therefrom, and shall be budgeted and allotted by the state budget officer when he is directed to do so by the Governor after the Governor has determined that sufficient funds are available for the payment of all appropriations made from the Alabama special educational trust fund.

On motion of Mr. Thomas the amendment offered by Mr. Bolton was laid upon the table.

Yeas 54; Nays 29.

Yeas:

Mr. Speaker	Crawford	Harper	Pennington
Avery	Daniel	Hawkins	Perry
Bailes	Davis	Hester	Pruitt
Barnett	Downing	Hogan	Rast
Bassett	Drake	McDermott	Reynolds
Bevill	Edington	Martin	Sessions
Blanton	Edwards (Escambia)	Meeks	Sullivan
Boston	Edwards (Lowndes)	Merrill	Teel
Brown (Jefferson)	Engel	Morrow	Thomas
Burns	Etheredge	Nabors	Turner (Crenshaw)
Callahan	Faulk	Nettles	Vacca
Cantrell	Fite	Owens	Wood
Cates	Gilmore	Paulk	Young
Collins	Grouby		

—54

Nays:

Messrs.	Campbell (Jackson)	Heflin	NeSmith
Albea	Campbell (Tuscaloosa)	Jones (Covington)	Pierce
Baker (DeKalb)	Casey	Little	Posey
Bolton	Cooper	McCorquodale	Rogers
Branyon	Cornett	Mashburn	Salter
Brown (Tuscaloosa)	Doggett	Meade	Scurlock
Burnham	Goldthwaite	Moore	Turner (Limestone)
Camp	Hannah		

—29

On motion of Mr. Thomas, the motion of Mr. Jones (Covington) to postpone further consideration of the bill, H. 709, as amended, until the twenty-sixth legislative day, was laid upon the table.

Yeas 64; Nays 20.

Yeas:

Mr. Speaker	Cooper	Hain	Paulk
Avery	Crawford	Hannah	Perry
Bailes	Daniel	Harper	Powell
Barnett	Davis	Hester	Pruitt
Bassett	Downing	Hogan	Rast
Bevill	Drake	Locke	Reynolds
Blanton	Edington	McCorquodale	Salter
Boston	Edwards (Escambia)	McDermott	Scurlock
Brown (Jefferson)	Edwards (Lowndes)	Martin	Sessions
Brown (Tuscaloosa)	Engel	Meade	Steagall
Burns	Etheredge	Meeks	Sullivan
Campbell (Jackson)	Faulk	Merrill	Teel
Campbell (Tuscaloosa)	Fite	Morrow	Thomas
Cantrell	Gilmore	Nabors	Turner (Crenshaw)
Cates	Goldthwaite	Nettles	Vacca
Collins	Grouby	Owens	Wood

—64

Nays:

Messrs.	Casey	Jones (Covington)	Pennington
Albea	Cornett	Little	Pierce
Baker (DeKalb)	Doggett	Mashburn	Rogers
Bolton	Heflin	Moore	Stembridge
Bowers	Holladay	NeSmith	Turner (Limestone)
Burnham			

—20

On motion of Mr. Thomas, the motion of Mr. Jones (Covington) to postpone further consideration of the bill, H. 709, as amended, until the next legislative day, was laid upon the table.

Yeas 58; Nays 28.

Yeas:

Mr. Speaker	Boston	Cates	Edington
Avery	Brown (Jefferson)	Collins	Edwards (Escambia)
Bailes	Brown (Tuscaloosa)	Crawford	Edwards (Lowndes)
Barnett	Burns	Daniel	Engel
Bassett	Campbell (Jackson)	Davis	Etheredge
Bevill	Campbell (Tuscaloosa)	Downing	Faulk
Blanton	Cantrell	Drake	Fite

Gilmore	McDermott	Paulk	Steagall
Grouby	Martin	Perry	Sullivan
Hain	Meeks	Pruitt	Teel
Hannah	Merrill	Rast	Thomas
Hester	Morrow	Reynolds	Turner (Cronshaw)
Hogan	Nabors	Scurlock	Vacca
Jones (Monroe)	Nettles	Sessions	Wood
Locke	Owens		

—58

Nays:

Messrs.	Cooper	Little	Pierce
Albea	Cornett	McCorquodale	Rogers
Baker (DeKalb)	Doggett	Mashburn	Salter
Bethea (M)	Goldthwaite	Meade	Stembridge
Bolton	Heflin	Moore	Turner (Limestone)
Bowers	Holladay	NeSmith	Turnham
Burnham	Jones (Covington)	Pennington	Young
Casey			

—28

Mr. Jones (Covington) offered the following substitute for the bill, H. 709, as amended:

Substitute for H.B. 709

A BILL
TO BE ENTITLED
AN ACT

To make an appropriation from the state treasury to the use of the board of education of Covington County for the construction and equipment of a new public school building at Red Level.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of \$150,000 or so much thereof as may be necessary, is hereby appropriated from the Alabama special educational trust fund in the state treasury, to the use of the board of education of Covington County for the purpose of constructing and equipping a new public school building at Red Level in said county. The appropriation herein made shall be released and paid out upon requisitions approved by the governor.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

POINT OF ORDER

The point of order raised by Mr. Thomas that the substitute offered by Mr. Jones (Covington) was not germane to the bill, H. 709, was sustained by the Chair.

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Friday, July 26, 1963, at ten o'clock A.M. was lost.

Yeas 35; Nays 54.

Yeas:

Messrs.	Casey	Heflin	Posey
Albea	Cook	Holladay	Powell
Baker (DeKalb)	Cooper	Jones (Covington)	Salter
Bethea (B)	Cornett	Little	Steagall
Branyon	Daniel	Locke	Sullivan
Brown (Tuscaloosa)	Doggett	Mashburn	Teel
Burnham	Edwards (Lowndes)	Moore	Turner (Limestone)
Camp	Goldthwaite	NeSmith	Turnham
Campbell (Jackson)	Hain	Pierce	Vacca

—35

Nays:

Mr. Speaker	Crawford	Harper	Pennington
Bailes	Davis	Hester	Perry
Barnett	Downing	Hogan	Pruitt
Bassett	Drake	McCorquodale	Rast
Bevill	Edgington	McDermott	Reynolds
Boston	Edwards (Escambia)	Martin	Rogers
Bowers	Engel	Meeks	Scurlock
Brown (Jefferson)	Faulk	Merrill	Sessions
Burns	Fields	Morrow	Stembridge
Callahan	Fite	Nabors	Thomas
Campbell (Tuscaloosa)	Gilmore	Nettles	Turner (Crenshaw)
Cantrell	Goodwyn	Owens	Wood
Cates	Grouby	Paulk	Young
Collins	Hannah		

—54

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Jones (Covington) offered the following amendment to the bill, H. 709, as amended:

AMENDMENT TO H. B. 709

Amend H.B. 709 by striking therefrom of said bill the amount of \$150,000, and inserting in lieu thereof the amount of \$1.00.

On motion of Mr. Thomas the amendment offered by Mr. Jones (Covington) was laid upon the table.

Yeas 67; Nays 19.

Yeas:

Mr. Speaker	Brown (Jefferson)	Cook	Edwards (Escambia)
Avery	Brown (Tuscaloosa)	Cooper	Edwards (Lowndes)
Bailes	Callahan	Crawford	Engel
Barnett	Campbell (Jackson)	Daniel	Faulk
Bassett	Campbell (Tuscaloosa)	Davis	Fields
Bevill	Cantrell	Downing	Fite
Boston	Cates	Drake	Gilmore
Bowers	Collins	Edgington	Grouby

Hain	Meade	Pruitt	Sullivan
Hannah	Meeks	Rast	Teel
Harper	Merrill	Reynolds	Thomas
Hester	Morrow	Rogers	Turner (Crenshaw)
Hogan	Nabors	Salter	Turnham
Locke	Nettles	Scurlock	Vacca
McDermott	Owens	Sessions	Young
Martin	Paulk	Steagall	Wood
Mashburn	Perry	Stembridge	

—67

Nays:

Messrs.	Burnham	Goldthwaite	Moore
Albea	Burns	Goodwyn	NeSmith
Baker (DeKalb)	Camp	Heflin	Pennington
Bethea (M)	Casey	Jones (Covington)	Pierce
Bolton	Doggett	Little	Turner (Limestone)

—19

Mr. Jones (Covington) offered the following amendment to the bill, H. 709, as amended:

AMENDMENT TO H. B. 709

Amend H.B. 709 by striking therefrom of said bill the sum of \$150,000, and inserting in lieu thereof the sum of \$5.00.

On motion of Mr. Thomas the amendment offered by Mr. Jones (Covington) was laid upon the table.

Yeas 62; Nays 17.

Yeas:

Mr. Speaker	Crawford	Harper	Paulk
Avery	Daniel	Hester	Perry
Bailes	Davis	Hogan	Pierce
Barnett	Downing	Locke	Pruitt
Bassett	Drake	McCorquodale	Rast
Bevill	Edington	McDermott	Reynolds
Boston	Edwards (Escambia)	Martin	Scurlock
Bowers	Edwards (Lowndes)	Mashburn	Sessions
Brown (Jefferson)	Engel	Meade	Steagall
Callahan	Faulk	Meeks	Teel
Campbell (Jackson)	Fields	Merrill	Thomas
Campbell (Tuscaloosa)	Fite	Morrow	Turner (Crenshaw)
Cantrell	Gilmore	Nabors	Vacca
Cates	Grouby	Nettles	Wood
Collins	Hain	Owens	Young
Cooper	Hannah		

—62

Nays:

Messrs.	Burnham	Goldthwaite	Little
Albea	Burns	Goodwyn	Moore
Baker (DeKalb)	Casey	Heflin	NeSmith
Bethea (M)	Cornett	Jones (Covington)	Turner (Limestone)
Bolton	Doggett		

—17

MOTION TO ADJOURN LOST

The motion of Mr. Powell that the House adjourn until Thursday, July 25, 1963, at ten o'clock A.M. was lost.

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Jones (Covington) offered the following amendment to the bill, H. 709, as amended:

AMENDMENT TO H. B. 709

Amend H. B. 709 by striking therefrom of said bill the sum of \$150-000, and inserting in lieu thereof the sum of \$5,000.00.

On motion of Mr. Thomas the amendment offered by Mr. Jones (Covington) was laid upon the table.

Yeas 53; Nays 22.

Yeas:

Mr. Speaker	Daniel	Hawkins	Perry
Bailes	Davis	Hester	Pierce
Bassett	Downing	Hogan	Pruitt
Blanton	Drake	Locke	Rast
Boston	Edwards (Escambia)	McCorquodale	Reynolds
Bowers	Engel	McDermott	Sessions
Brown (Jefferson)	Etheredge	Martin	Steagall
Callahan	Faulk	Meeks	Sullivan
Campbell (Jackson)	Fite	Merrill	Teel
Cantrell	Grouby	Morrow	Thomas
Cates	Hain	Nabors	Turner (Crenshaw)
Collins	Hannah	Nettles	Vacca
Cook	Harper	Paulk	Wood
Crawford			

—53

Nays:

Messrs.	Burnham	Goldthwaite	NeSmith
Albea	Burns	Heflin	Rogers
Avery	Casey	Jones (Covington)	Stembridge
Baker (DeKalb)	Cornett	Little	Turner (Limestone)
Bethea (M)	Doggett	Mashburn	Young
Bolton	Edington	Moore	

—22

MOTION TO ADJOURN LOST

The motion of Mr. Jones (Covington) that the House adjourn until Friday, July 26, 1963, at eleven o'clock A.M. was lost.

Yeas 41; Nays 53.

Yeas:

Messrs.	Campbell (Jackson)	Heflin	Powell
Albea	Carr	Holladay	Rogers
Avery	Casey	Jones (Covington)	Salter
Baker (DeKalb)	Cooper	Little	Scurlock
Bethea (M)	Cornett	Mashburn	Smith
Bolton	Daniel	Meade	Sullivan
Bowers	Doggett	Moore	Teel
Branyon	Edwards (Lowndes)	NeSmith	Turner (Limestone)
Burnham	Gilmore	Pierce	Turnham
Burns	Goldthwaite	Posey	Wood
Camp	Hain		

—41

Nays:

Mr. Speaker	Davis	Harper	Paulk
Bailes	Downing	Hawkins	Pennington
Barnett	Drake	Hester	Perry
Bassett	Edington	Hogan	Pruitt
Bevill	Edwards (Escambia)	Locke	Rast
Blanton	Engel	McDermott	Reynolds
Boston	Etheredge	Martin	Sessions
Brown (Jefferson)	Faulk	Meeks	Steagall
Callahan	Fields	Merrill	Stembridge
Cantrell	Fite	Morrow	Thomas
Cates	Goodwyn	Nabors	Turner (Crenshaw)
Collins	Grouby	Nettles	Vacca
Cook	Hannah	Owens	Young
Crawford			

—53

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Bolton offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, strike out the figures "\$150,000" and insert "\$25,000.00"

On motion of Mr. Thomas the amendment offered by Mr. Bolton was laid upon the table.

Yeas 56; Nays 22.

Yeas:

Mr. Speaker	Brown (Jefferson)	Cook	Edwards (Lowndes)
Bailes	Callahan	Crawford	Engel
Barnett	Campbell (Jackson)	Daniel	Etheredge
Bassett	Campbell (Tuscaloosa)	Davis	Faulk
Bevill	Cantrell	Downing	Fite
Blanton	Cates	Drake	Glass
Boston	Collins	Edwards (Escambia)	Grouby

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Hain	McCorquodale	Owens	Scurlock
Hannah	McDermott	Paulk	Sessions
Harper	Meeks	Perry	Steagall
Hawkins	Merrill	Pierce	Teel
Hester	Morrow	Pruitt	Thomas
Hogan	Nabors	Rast	Turner (Crenshaw)
Locke	Nettles	Reynolds	Vacca

—56

Nays:

Messrs.	Casey	Jones (Covington)	Rogers
Albea	Cornett	Little	Salter
Baker (DeKalb)	Doggett	Mashburn	Stembridge
Bolton	Edington	Moore	Turner (Limestone)
Burnham	Goldthwaite	NeSmith	Young
Burns	Heflin	Pennington	

—22

Mr. Bolton offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, strike out the figures "\$150,000" and insert "\$50,000.00"

On motion of Mr. Thomas the amendment offered by Mr. Bolton was laid upon the table.

Yeas 57; Nays 21.

Yeas:

Mr. Speaker	Crawford	Hawkins	Perry
Bailes	Davis	Hester	Pierce
Barnett	Downing	Hogan	Pruitt
Bassett	Drake	Locke	Rast
Bevill	Edwards (Escambia)	McDermott	Reynolds
Blanton	Edwards (Lowndes)	Martin	Salter
Boston	Engel	Meade	Scurlock
Brown (Jefferson)	Etheredge	Meeks	Sessions
Campbell (Jackson)	Faulk	Merrill	Steagall
Campbell (Tuscaloosa)	Fite	Morrow	Teel
Cantrell	Glass	Nabors	Thomas
Cates	Grouby	Nettles	Turner (Crenshaw)
Collins	Hain	Owens	Vacca
Cook	Harper	Paulk	Wood
Cooper			

—57

Nays:

Messrs.	Burnham	Goodwyn	Pennington
Albea	Burns	Heflin	Rogers
Avery	Casey	Jones (Covington)	Stembridge
Baker (DeKalb)	Cornett	Mashburn	Turner (Limestone)
Bolton	Doggett	NeSmith	Young
Bowers	Goldthwaite		

—21

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Thursday, July 25, 1963, at eleven o'clock A.M. was lost.

Yeas 31; Nays 56.

Yeas:

Messrs.	Carr	Goldthwaite	Posey
Albea	Casey	Heflin	Powell
Baker (DeKalb)	Cooper	Hester	Rogers
Bolton	Cornett	Little	Salter
Bowers	Doggett	Mashburn	Scurlock
Burnham	Downing	NeSmith	Smith
Burns	Edington	Nettles	Teel
Campbell (Tuscaloosa)	Edwards (Lowndes)	Pennington	Wood

—31

Nays:

Mr. Speaker	Cook	Hannah	Paulk
Bailes	Crawford	Harper	Perry
Barnett	Davis	Hawkins	Pierce
Bassett	Dominick	Hogan	Pruitt
Bevill	Drake	Locke	Rast
Blanton	Edwards (Escambia)	McCorquodale	Reynolds
Boston	Engel	McDermott	Sessions
Branyon	Faulk	Martin	Steagall
Brown (Jefferson)	Fields	Meade	Stembridge
Callahan	Fite	Mceeks	Thomas
Campbell (Jackson)	Giass	Merrill	Turner (Greenshaw)
Cantrell	Goodwyn	Morrow	Turner (Limestone)
Cates	Grouby	Nabors	Vacca
Collins	Hain	Owens	Young

—56

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Holladay offered the following amendment to the bill, H. 709, as amended:

Amendment to House Bill 709

House bill 709 is hereby amended as follows.

By striking Section one of said bill and in lieu thereof substituting the following.

Section 1. The sum of \$150,000.00 or so much thereof as may be necessary, is hereby appropriated from the Alabama special educational trust fund in the state treasury, to the use of the board of education of Barbour county and a like amount for each other county in the state of Alabama, for the sole purpose of constructing and equipping of new public school buildings in said counties. The appropriation herein made shall be released and paid out upon requisitions approved by the Governor.

On motion of Mr. Thomas the amendment offered by Mr. Holladay was laid upon the table.

Yeas 47; Nays 39.

Yeas:

Mr. Speaker	Daniel	Grouby	Paulk
Bailes	Davis	Harper	Pennington
Barnett	Downing	Hawkins	Perry
Bassett	Drake	Hester	Powell
Bevill	Edington	Hogan	Pruitt
Boston	Engel	Little	Rast
Brown (Jefferson)	Etheredge	Locke	Reynolds
Brown (Tuscaloosa)	Faulk	McDermott	Sessions
Callahan	Fite	Martin	Thomas
Cates	Gilmore	Merrill	Turner (Crenshaw)
Collins	Glass	Morrow	Vacca
Cook	Goodwyn	Nabors	

—47

Nays:

Messrs.	Campbell (Tuscaloosa)	Hannah	Pierce
Albea	Carr	Heflin	Rogers
Baker (DeKalb)	Casey	Holladay	Scurlock
Bethea (M)	Cornett	Jones (Covington)	Smith
Bolton	Crawford	Mashburn	Steagall
Branyon	Doggett	Meeks	Stembridge
Burnham	Edwards (Escambia)	Moore	Teel
Burns	Edwards (Lowndes)	NeSmith	Turner (Limestone)
Camp	Goldthwaite	Nettles	Wood
Campbell (Jackson)	Hain	Owens	Young

—39

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Thursday, July 25, 1963, at nine o'clock A.M. was lost.

Yeas 31; Nays 60.

Yeas:

Messrs.	Camp	Heflin	Posey
Albea	Campbell (Tuscaloosa)	Hester	Powell
Baker (DeKalb)	Carr	Jones (Covington)	Rogers
Bethea (M)	Casey	Little	Salter
Bolton	Cooper	Mashburn	Scurlock
Brown (Tuscaloosa)	Downing	Moore	Smith
Burnham	Edwards (Lowndes)	NeSmith	Teel
Burns	Goldthwaite	Pennington	Wood

—31

Nays:

Mr. Speaker	Brown (Jefferson)	Doggett	Gilmore
Bailes	Campbell (Jackson)	Dominick	Glass
Barnett	Cates	Drake	Goodwyn
Bassett	Collins	Edington	Grouby
Bethea (B)	Cook	Edwards (Escambia)	Hain
Bevill	Cornett	Engel	Hannah
Boston	Crawford	Etheredge	Harper
Bowers	Daniel	Faulk	Hawkins
Branyon	Davis	Fite	Hogan

McCorquodale	Morrow	Pierce	Stembridge
McDermott	Nabors	Pruitt	Thomas
Martin	Nettles	Rast	Turner (Crenshaw)
Meade	Owens	Reynolds	Turner (Limestone)
Meeks	Paulk	Sessions	Vacca
Merrill	Perry	Steagall	Young

—60

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Little offered the following amendment to the bill, H. 709, as amended:

Amendment to H. 709

Add at end of Section 2 -

This appropriation shall not be made until such time as all teachers salaries in the State of Alabama have been raised by 30% above their present pay scale -

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Friday, July 26, 1963, at ten-thirty o'clock A.M. was lost.

Yeas 45; Nays 48.

Yeas:

Messrs.	Campbell (Jackson)	Heflin	Powell
Albea	Campbell (Tuscaloosa)	Hester	Rogers
Avery	Carr	Jones (Covington)	Salter
Baker (DeKalb)	Casey	Little	Scurlock
Bethea (M)	Cook	Mashburn	Smith
Bolton	Cooper	Meade	Steagall
Bowers	Cornett	Moore	Sullivan
Branyon	Doggett	NeSmith	Teel
Brown (Tuscaloosa)	Edwards (Lowndes)	Owens	Turner (Limestone)
Burnham	Glass	Pierce	Wood
Burns	Goldthwaite	Posey	Young
Camp	Hain		

—45

Nays:

Mr. Speaker	Brown (Jefferson)	Edington	Grouby
Bailes	Callahan	Edwards (Escambia)	Hannah
Barnett	Collins	Engel	Hawkins
Bassett	Crawford	Etheredge	Hogan
Bethea (B)	Davis	Faulk	Locke
Bevill	Dominick	Fite	McCorquodale
Blanton	Downing	Gilmore	McDermott
Boston	Drake	Goodwyn	Martin

Meeks	Paulk	Rast	Thomas
Merrill	Pennington	Reynolds	Turner (Crenshaw)
Morrow	Perry	Sessions	Turnham
Nabors	Pruitt	Stembridge	Vacca

—48

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

The point of order raised by Mr. Thomas, that the amendment offered by Mr. Little was not germane to the bill, H. 709, was sustained by the Chair.

Mr. Cornett offered the following amendment to the bill, H. 709, as amended:

Amend House Bill 709 in the manner following:

Delete wherever it appears, the words "Alabama Special Educational Trust Fund" and insert in their place the words "Mansion Fund."

On motion of Mr. Thomas the amendment offered by Mr. Cornett was laid upon the table.

Yeas 68; Nays 18.

Yeas:

Mr. Speaker	Cooper	Grouby	Paulk
Avery	Crawford	Hain	Pennington
Bailes	Daniel	Hannah	Perry
Barnett	Davis	Harper	Pruitt
Bassett	Doggett	Hawkins	Rast
Bethea (B)	Dominick	Hester	Reynolds
Bethea (M)	Downing	Hogan	Scurlock
Bevill	Drake	Holladay	Sessions
Blanton	Edington	Locke	Steagall
Boston	Edwards (Escambia)	McDermott	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Martin	Teel
Brown (Tuscaloosa)	Engel	Meade	Thomas
Callahan	Etheredge	Meeks	Turner (Crenshaw)
Campbell (Jackson)	Faulk	Merrill	Turnham
Cates	Fields	Morrow	Vacca
Collins	Fite	Nabors	Wood
Cook	Gilmore	Nettles	Young

—68

Nays:

Messrs.	Camp	Jones (Covington)	Owens
Albea	Casey	Little	Pierce
Baker (DeKalb)	Cornett	Mashburn	Rogers
Bolton	Goldthwaite	Moore	Turner (Limestone)
Burnham	Heflin	NeSmith	

—18

MOTION TO SUSPEND RULES LOST

The motion of Mr. Albea to suspend the rules in order to introduce a resolution out of order was lost.

Yeas 24; Nays 68.

Yeas:

Messrs.	Camp	Jones (Covington)	Perry
Albea	Casey	Little	Posey
Avery	Cornett	Meeks	Scurlock
Baker (DeKalb)	Goldthwaite	Nabors	Powell
Bolton	Hester	Nettles	Sullivan
Burnham	Holladay	Pennington	Turner (Limestone)
Burns			

—24

Nays:

Mr. Speaker	Crawford	Grouby	Paulk
Bailes	Daniel	Hain	Pierce
Barnett	Davis	Hannah	Pruitt
Bassett	Doggett	Harper	Rast
Bethea (M)	Dominick	Hawkins	Reynolds
Bevill	Downing	Heflin	Rogers
Blanton	Drake	Locke	Salter
Boston	Edington	McCorquodale	Smith
Branyon	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Martin	Stembridge
Brown (Tuscaloosa)	Engel	Mashburn	Teel
Callahan	Etheredge	Meade	Thomas
Campbell (Jackson)	Faulk	Merrill	Turner (Crenshaw)
Cates	Fields	Moore	Turnham
Collins	Fite	Morrow	Vacca
Cook	Gilmore	NeSmith	Wood
Cooper	Glass	Owens	Young

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FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

Mr. Bolton offered the following amendment to the bill, H. 709, as amended:

Amendment to H. B. 709

In Section 1, strike out the figures "\$150,000" and insert "\$100,000.00"

On motion of Mr. Thomas the amendment offered by Mr. Bolton was laid upon the table.

Yeas 64; Nays 22.

Yeas:

Mr. Speaker	Barnett	Bethea (B)	Blanton
Bailes	Bassett	Bevill	Boston

Brown (Jefferson)	Drake	Hawkins	Pennington
Brown (Tuscaloosa)	Edington	Hester	Perry
Callahan	Edwards (Escambia)	Little	Pierce
Campbell (Jackson)	Edwards (Lowndes)	Locke	Pruitt
Campbell (Tuscaloosa)	Engel	McCorquodale	Rast
Cates	Etheredge	McDermott	Reynolds
Collins	Faulk	Martin	Scurlock
Cook	Fite	Meade	Smith
Cooper	Gilmore	Meeks	Steagall
Crawford	Glass	Merrill	Teel
Daniel	Grouby	Morrow	Thomas
Davis	Hain	Nabors	Turner (Crenshaw)
Doggett	Hannah	Owens	Vacca
Downing	Harper	Paulk	Wood

—64

Nays:

Messrs.	Branyon	Heflin	Salter
Albea	Burnham	Jones (Covington)	Sessions
Avery	Burns	Mashburn	Stembridge
Baker (DeKalb)	Casey	Moore	Turner (Limestone)
Bolton	Cornett	NeSmith	Young
Bowers	Goldthwaite	Rogers	

—22

Mr. Holladay offered the following amendment to the bill, H. 709, as amended:

Amendment to H.B. 709

House Bill 709 is hereby amended by striking the words "Special Education Trust Fund" and in lieu thereof insert the following "General Fund"

The point of order raised by Mr. Thomas that the amendment offered by Mr. Holladay was out of order was sustained by the Chair.

Mr. Holladay offered the following amendment to the bill, H. 709, as amended:

Amendment to H.B. 709

Amend Section 1 by striking the words "Special Education Trust Fund" & insert in lieu thereof the words "State Cosmotologist Fund".

MOTION TO ADJOURN LOST

The motion of Mr. Bolton that the House adjourn until Friday, July 26, 1963, at ten-fifteen o'clock A.M. was lost.

Yeas 44; Nays 44.

Yeas:

Messrs.	Brown (Tuscaloosa)	Casey	Glass
Albea	Burnham	Cook	Goldthwaite
Avery	Burns	Cooper	Hain
Baker (DeKalb)	Camp	Cornett	Heflin
Bolton	Campbell (Jackson)	Daniel	Holladay
Bowers	Campbell (Tuscaloosa)	Doggett	Jones (Covington)
Branyon	Carr	Edwards (Lowndes)	Little

Mashburn	Powell	Sessions	Teel
Moore	Rogers	Smith	Turner (Limestone)
NeSmith	Salter	Steagall	Wood
Pennington	Scurlock	Sullivan	Young
Pierce			

—44

Nays:

Mr. Speaker	Collins	Fite	Merrill
Bailes	Crawford	Grouby	Nabors
Barnett	Davis	Hannah	Owens
Bassett	Dominick	Harper	Paulk
Bethea (B)	Drake	Hawkins	Perry
Bethea (M)	Edington	Hester	Rast
Bevill	Edwards (Escambia)	Jones (Monroe)	Reynolds
Boston	Engel	McCorquodale	Stembridge
Brown (Jefferson)	Etheredge	McDermott	Thomas
Callahan	Faulk	Martin	Turner (Greenshaw)
Cates	Fields	Meade	Vacca

—44

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

On motion of Mr. Thomas the amendment offered by Mr. Holladay to the bill, H. 709, as amended, was laid upon the table.

Yeas 61; Nays 12.

Yeas:

Mr. Speaker	Crawford	Hannah	Rast
Albea	Daniel	Harper	Reynolds
Bailes	Davis	Hawkins	Rogers
Barnett	Dominick	Hester	Scurlock
Bassett	Downing	Locke	Sessions
Bevill	Drake	McDermott	Smith
Boston	Edwards (Escambia)	Meeks	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Sullivan
Callahan	Engel	Nabors	Teel
Campbell (Jackson)	Etheredge	Nettles	Thomas
Campbell (Tuscaloosa)	Faulk	Owens	Turner (Greenshaw)
Cantrell	Fite	Paulk	Turnham
Cates	Goldthwaite	Pennington	Vacca
Collins	Grouby	Perry	Wood
Cook	Hain	Pierce	Young
Cooper			

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Nays:

Messrs.	Cornett	Heflin	Mashburn
Baker (DeKalb)	Doggett	Little	Moore
Burnham	Glass	Martin	NeSmith
Casey			

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MOTION TO ADJOURN LOST

Mr. Jones (Covington) moved that the House adjourn until Friday, July 26, 1963, at ten o'clock A.M.

The substitute motion of Mr. Thomas that the House adjourn until Friday, July 26, 1963, at eleven o'clock A.M. was lost.

The question was then on the motion of Mr. Jones (Covington) that the House adjourn until Friday, July 26, 1963, at ten o'clock A.M., and the motion was lost.

FURTHER CONSIDERATION OF H. 709

H. 709. To make an appropriation from the state treasury to the use of the board of education of Barbour County for completing the construction and equipment of a new public school building at Clayton.

As amended, was again taken up.

And said bill, H. 709, as amended, was then read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 19.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Bailes	Crawford	Harper	Perry
Barnett	Daniel	Hawkins	Rast
Bassett	Davis	Hester	Reynolds
Bethea (B)	Dominick	Hogan	Salter
Bethea (M)	Downing	Holladay	Scurlock
Bevill	Drake	Locke	Sessions
Blanton	Edington	McDermott	Smith
Boston	Edwards (Escambia)	Martin	Steagall
Bowers	Edwards (Lowndes)	Meade	Sullivan
Brown (Jefferson)	Engel	Meeks	Teel
Brown (Tuscaloosa)	Faulk	Merrill	Thomas
Callahan	Fite	Moore	Turner (Grenshaw)
Campbell (Jackson)	Gilmore	Morrow	Vacca
Cantrell	Glass	Nabors	Wood
Cates	Grouby	Owens	Young
Cook	Hain	Paulk	

—68

Nays:

Messrs.	Burns	Goldthwaite	NeSmith
Albea	Camp	Heflin	Pierce
Bolton	Casey	Jones (Covington)	Rogers
Branyon	Cornett	Little	Stembridge
Burnham	Doggett	Mashburn	Turner (Limestone)

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MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 147. Relating to the office of solicitor of the Eighteenth Judicial Circuit; creating a solicitor's fund for the use of the circuit solicitor.

MCDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 120. To provide for and require reidentification of the registered electors of Jackson County; imposing duties upon the board of registrars and other county officers, and upon the electors whose names appear on lists of qualified voters, prescribing penalties.

Also:

S. 236. Proposing an amendment to the Constitution regulating the power of municipalities of Mobile County to levy certain privilege license taxes.

Also:

S. 242. To provide and providing that in all counties in Alabama whose population is not less than 100,000 people and not more than 115,000 people according to the 1960 or any subsequent Federal decennial census that all non-profit public general hospitals which are agencies of such counties or of any city located in such counties or of both such counties and cities, and all hospital boards operating such hospitals within such counties, shall be authorized and empowered to adopt, contract for, obtain and maintain a retirement pension plan for its officers and employees or such of its officers and employees as it may determine, and to contract for, obtain and maintain a pension trust agreement with any bank, banking institution or insurance company authorized by law to act as a trustee in the State of Alabama, and to contribute and pay to such trustee all funds and monies reasonably necessary to provide for all retirement pensions provided for in said retirement pension plan and all costs or expenses of servicing the same, and to contract for, obtain and maintain policies of group life, health, accident and hospitalization insurance and insured or uninsured retirement plans for its officers and employees or for such of its officers and employees as it shall determine to be entitled thereto.

Also:

S. 255. To fix and regulate the payment of the compensation and expenses of members of the county board of education of every county which has a population of not less than 50,000 nor more than 54,000.

Also:

S. 258. For the relief of W. O. Cobb of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate W. O. Cobb for certain damages.

Also:

S. 259. For the relief of H. E. McBride of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to appropriate county funds for such purpose.

Also:

S. 260. For the relief of Sammy White of Madison County; authorizing the board of county commissioners, board of revenue, or other like governing body of Madison County to make an appropriation of county funds to compensate Sammy White for certain damages.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills and House Joint Resolutions hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 12:10 P.M. On July 23, 1963

H. 182	H. 515	H. 364
H. 266	H. 517	H. 512
H. 288	H. 528	H. 110
H. 352	H. 529	
H. 480	H. 547	
H. 489	H. 548	
H. 490	H. 550	
H. 491	H. 555	
H. 133	H. 558	
H. 387	H. 559	
H. 404	H. 560	

H. 448	H. 566
H. 463	H. 594
H. 487	H. 595
H. 488	H. 596
H. 493	H. 600
H. 506	H. 601
H. 509	H. 604
H. 513	H. 446

Delivered to the Governor at 3:15 P.M. on July 23, 1963

H.J.R. 88

H.J.R. 89

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Edwards (Escambia) the House adjourned until Friday, July 26, 1963, at ten o'clock A.M.

Yeas 61; Nays 31.

Yeas:

Messrs.	Campbell (Jackson)	Grouby	Owens
Albea	Campbell (Tuscaloosa)	Hain	Paulk
Avery	Carr	Hannah	Pennington
Bailes	Casey	Harper	Pierce
Baker (DeKalb)	Cooper	Heflin	Powell
Bethea (B)	Crawford	Hogan	Reynolds
Bethea (M)	Daniel	Holladay	Sessions
Blanton	Doggett	Jones (Covington)	Smith
Bolton	Downing	Little	Stembridge
Boston	Drake	Locke	Sullivan
Branyon	Edwards (Escambia)	Mashburn	Teel
Brown (Jefferson)	Edwards (Lowndes)	Meade	Turner (Limestone)
Brown (Tuscaloosa)	Faulk	Moore	Vacca
Burnham	Fields	NeSmith	Wood
Burns	Fite	Nettles	Young
Camp	Glass		

—61

Nays:

Mr. Speaker	Cook	Hawkins	Pruitt
Barnett	Davis	Hester	Rast
Bassett	Dominick	McDermott	Rogers
Bevill	Edington	Martin	Scurlock
Bowers	Engel	Merrill	Steagali
Callahan	Etheredge	Morrow	Turner (Crenshaw)
Cantrell	Gilmore	Perry	Turnham
Collins	Goodwyn	Posey	

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TWENTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, July 26, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Royce W. Ballard, Pastor, Pike Road Baptist Church, Prattville, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Cates	Hannah	Paulk
Albea	Collins	Harper	Pennington
Avery	Cook	Hawkins	Perry
Bailes	Cooper	Heflin	Pierce
Baker (DeKalb)	Cornett	Hester	Posey
Barnett	Crawford	Hogan	Powell
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Ingram	Rogers
Bethea (M)	Doggett	Jones (Covington)	Salter
Bevill	Dominick	Jones (Monroe)	Scurlock
Blanton	Downing	Little	Sessions
Bolton	Drake	Locke	Slate
Boston	Edington	McCorquodale	Smith
Bowers	Edwards (Escambia)	McDermott	Snell
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Thomas
Callahan	Gilmore	Moore	Turner (Crenshaw)
Camp	Glass	Morrow	Turner (Limestone)
Campbell (Jackson)	Goldthwaite	Nabors	Turnham
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Vacca
Cantrell	Grouby	Nettles	Wood
Carr	Hain	Owens	Young
Casey			

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-third legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the

Journal of the House for the twenty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-third legislative day was approved.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the twenty-fourth legislative day and finds the same to be correct.

ALBERT P. BREWER,
Chairman.

On motion of Mr. Turner (Crenshaw), the reading at length of the Journal of the House for the twenty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the twenty-fourth legislative day was approved.

BILLS ON SECOND READING

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 875. To amend Code of Alabama 1940, Title 34, Sections 27, 29, and 38, in relation to suits for divorce.

H. 845. To amend further Code of Alabama 1940, Title 51, Section 7, which relates to applications for exemptions of factories, industries and plants from state ad valorem taxes.

H. 719. To provide for the relief of Nathan Mathews; appropriating state funds for such purpose.

H. 799. Relating to public health; to further amend Section 9 of Title 22, Code of Alabama 1940 (Title 22, Section 9, Code of Alabama, Recompiled 1958); as last amended by Act No. 357, Acts 1957, approved August 23, 1957.

H. 921. To make an additional appropriation for payment of expenses of the Legislature.

H. 871. To provide that an amount for additional first year depreciation on certain property equal to the amount of investment credit allowed thereon as authorized by Federal revenue acts shall be allowed as an additional deduction in determining net income for State income tax purposes.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 703. (With Substitute). Relating to elections; to provide for pay-

ment of expenses accrued in relation to the constitutional amendment election called for Tuesday, August 13, 1963.

Mr. Turner (Crenshaw), Vice-Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 877. To make an appropriation from the state treasury to the use of the board of education of Jefferson County for constructing and equipping a senior high school at Center Point.

H. 66. To appropriate \$19,000 to the Department of Conservation for building construction and other improvements at Little Mountain State Park.

H. 212. To make an appropriation to the Supreme Court of Alabama for the support of the Judicial Conference of Alabama.

H. 928. To repeal Section 297 of Title 52, Code of Alabama 1940, as amended by Section 3 of Act 117 of the 1956 Special Session of the Legislature, which relates to the required school attendance of children of certain ages.

H. 671. To provide for continuous code revision and to appropriate funds for that purpose, repealing conflicting laws.

H. 891. Relating to public schools; empowering local school boards of the state to further regulate the manner, method, and procedure for teaching in the classrooms of the public schools.

H. 892. Relating to public schools; further empowering local boards of education to take certain actions in respect of pupils who create disciplinary problems.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 196. to amend Section 262 of Title 26 of the Code of Alabama 1940 as last amended, relating to Workmen's Compensation.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in Session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 197. To amend Section 262 of Title 26 of the Code of Alabama 1940 as last amended, relating to Workmen's Compensation.

H. 383. To amend Code of Alabama 1940, Title 51, Section 613, in relation to the license tax payable on vending machines.

H. 677. To provide further for reporting collections made by clerks of the circuit and inferior courts.

H. 678. Relating to costs and fees; to amend Code of Alabama 1940, Title 11, Section 22, in relation to commissions of clerks and registers for collection of money for the state or any county or municipality.

H. 682. Providing further for the payment of court costs in appeals from the rulings of boards of equalization fixing the value of property for taxation.

H. 762. To amend Code of Alabama 1940, Title 16, Section 1, which relates to descent of real estate of persons dying intestate.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 831. (With Amendment). To provide an appropriation of funds which are available to the Division of Employment Security of the Alabama Department of Industrial Relations out of funds credited to this State's account in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America, pursuant to section 903 of the Social Security Act, as amended, for the purpose of acquiring land or lands adjoining or adjacent to the building now being built by the State of Alabama on the north side of Monroe Street in the City of Montgomery to be occupied by the Division of Employment Security of the Department of Industrial Relations of the State of Alabama, said land or lands to be used for automobile parking purposes by employees of the said division of Employment Security.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 832. To provide for the liquidation of the obligation of the State of Alabama to the Treasurer of the United States as a result of benefits paid under the Temporary Unemployment Compensation Act of 1958.

H. 893. To prescribe the time in which appeals may be made to the Supreme Court or to the Court of Appeals from decrees affecting the custody of children; and to provide that such cases so appealed shall be considered preferred cases.

H. 926. To amend Act No. 177, H. 97, Special Session 1961 (Acts 1961, v. 2, p. 2142) which regulates the business of selling, issuing or otherwise dispensing checks, drafts, money orders or other instruments for the transmission or payment of money, and the business of receiving money as agent for obligors for the purpose of paying such obligors' bills, invoices, or accounts, as a service or for a fee or other consideration.

H. 927. To require certain corporations, associations and other like legal entities when consolidating or merging with another corporation, association or other organization to file a copy of notice of such merger or consolidation in the office of the judge of probate.

H. 950. To provide for the appointment of counsel for indigent defendants at the expense of the State in certain noncapital criminal cases and in certain other cases involving the life and liberty of those charged or convicted of crimes, on trial and on appeal; to make an appropriation from the General Fund for carrying out the purposes of this Act and to make expenditures therefrom subject to the approval of the Governor and the condition of the General Fund.

H. 951. To provide for the furnishing to indigent convicted defendants in criminal cases and in certain other related proceedings involving life, liberty or property of those convicted of crime of a record and tran-

script of evidence for appeal at the expense of the State; to state the purposes of this act; to define the cases to which this act is applicable; to prescribe the manner and time for indigents to apply for transcripts on appeal; to prescribe the manner of proceeding and disposition by the trial court of petition for such transcripts on appeal; to provide for conditions under which an abridged record may be ordered; to provide for the trial court to order all or a part of the cost of the transcript on appeal, including court reporters' fees and clerks' fees to be paid out of the general fund of the State treasury, and to require the appellant to pay part of the cost if he is able; to make special provisions for appeals now pending, or where the time for appeal has not expired; to provide for a review of a denial of a petition by the trial court; to provide for a judgment to be entered against an unsuccessful appellant to pay the fees of the clerk and court reporter paid by the State, and that such fees shall be paid into the general fund of the State; to provide further for an additional sentence for hard labor for the county or imprisonment in the penitentiary at a certain rate if said payment is not made; to authorize the Supreme Court with the advice and consultation of the Court of Appeals to make rules to accomplish the purposes of this act, and to also so authorize circuit courts and other courts having jurisdiction hereunder; to appropriate annually out of the general fund of the State treasury an amount sufficient to pay said court reporters and clerks and to carry out the provisions of this act, said appropriation being subject before disbursement to the approval of the Governor and contingent upon the opinion of the Governor of the condition of the State treasury; to repeal Act No. 62, Acts of Alabama 1961, page 1930, approved September 15, 1961, entitled, "An Act to provide for the furnishing of transcripts of evidence for appeals in criminal cases where defendant, appellant is indigent; . . .", etc., with certain exceptions; and to provide for the effective date of this act.

H. 955. To authorize and create an additional judge of the Twenty-first Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications; to render him liable to all the pains and penalties of the other circuit judges of the state; to provide for the designation of each of the two offices of circuit judge of said circuit by number and to provide for the salary of said judge.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 19. To require the approval of the Building Commission as a condition to the effectiveness of certain contracts and to prohibit the Building Commission from making any contract for the acquisition or construction of any building or facility without a proper showing that funds are available for the completion thereof.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 434. (With Amendment). To amend Code of Alabama 1940, Title 17, Sections 21 and 23, relating to the appointment of county boards of registrars.

Mr. Thomas, Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable

report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 901. Relating to administration of the Department of Industrial Relations; prescribing the salary of the executive assistant director of said Department.

H. 902. To amend Section 6 of Act No. 207, S. 14, Regular Session 1945 an act establishing the school of dentistry of the University of Alabama (General Acts 1945, p. 323), in relation to scholarships.

H. 903. To amend Section 6 of Act No. 89, S. 35, Regular Session 1943, an act establishing the medical college of Alabama (General Acts 1943, p. 89), in relation to scholarships.

Mr. Burns, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 399. (With Substitute) (With Amendment). To amend Title 26, Sections 261, 262, 263, 279, 289, 293, and 297, Code of Alabama 1940, which relates to the Workmen's Compensation Law.

Mr. Nettles, Vice-Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 860. Relating to crimes and offenses involving certain types of transportation by common carriers; prohibiting certain agreements or contracts between common carriers and labor organizations; prescribing penalties.

Mr. Goldthwaite, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 751. To authorize life insurance companies of this State to invest in loans, notes, bonds or other evidences of indebtedness of corporations up to the fair value of the real property mortgaged to secure the same and upon other conditions.

H. 772 To amend Code of Alabama 1940, Title 50, Section 16, which relates to bonds of contractors contracting for public works; providing that such a bond must contain an obligation for the payment of premiums on insurance and bonds required by law or by the contract.

H. 821. To amend further Act No. 565 enacted at the Regular Session of the Legislature of Alabama of 1943, entitled "An Act to authorize the establishment and maintenance of common trust funds; to authorize investments or participations therein; to define the requirements and terms thereof and the conditions and terms governing investments or participations therein and the admission and withdrawal of such investments or participations; to prescribe and define the rights, powers and duties of banks, trust companies, fiduciaries, participants, beneficiaries and other persons with respect thereto; to provide for the regulation and supervision thereof; to repeal all laws inconsistent and in conflict with the provisions of this Act, and for other purposes," as said Act has heretofore

been amended by Act No. 262 enacted at the Regular Session of the Legislature of Alabama of 1949 and by Act No. 112 enacted at the Regular Session of the Legislature of Alabama of 1953.

H. 823. To amend Section 7 of Title 28 of the Code of Alabama (1940) relating to the incontestability of life insurance policies.

Mr. Goldthwaite, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 824. (With Amendment). Proposing an amendment to the Constitution of Alabama relating to retaliatory taxes on foreign insurance companies.

The above bill was read a second time at length as required by the Constitution.

Mr. Goldthwaite, Chairman of the Standing Committee on Insurance, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 825. To amend Section 825 of Title 51 of the Code of Alabama (1940); to provide for retaliation against insurance companies of any other state or foreign country on account of taxes, licenses and other fees, fines, penalties, deposit requirements or other material obligations which are or would be imposed upon Alabama insurance companies, their agents or representatives, which are in excess of such taxes, licenses and other fees, fines, penalties, deposit requirements or other obligations imposed upon similar insurance companies or agents or representatives of such insurance companies of such other state or country under the statutes of this state; providing for the inclusion of taxes, licenses or other fees imposed by any city, county or other political subdivision or agency of such other state or country to be within the purview of this Act; providing for the exclusion from the operation of this Act of personal income taxes, ad valorem taxes on real or personal property, special purpose obligations or assessments imposed by another state in connection with particular kinds of insurance other than property insurance; defining domicile of an alien insurance company for the purpose of this Act, other than an insurance company formed under the laws of Canada; and providing for an effective day for this Act.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 782. To provide for the appointment, qualifications, and compensation of the state superintendent of education; amending Code 1940, Title 52, Section 41, and expressly repealing conflicting laws.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with amendments, and they were severally read a second time and placed on the Calendar, to-wit:

H. 783. (With Amendment). To amend Code of Alabama, 1940, Title 52, Section 14, by empowering the state board of education to appoint

the state superintendent of education at such time as the Constitution of Alabama is amended to permit such appointment.

H. 784. (With Amendment). Proposing a constitutional amendment relative to the selection, powers, duties, and tenure of office of the state board of education and the state superintendent of education.

The above bill was read a second time at length as required by the Constitution.

H. 913. (With Amendment). Relating to the qualifications of county superintendents of education, amending Act No. 298, H. 32, Regular Session 1959 (Acts 1959, p. 871).

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 947. To provide for the creation of the University of Alabama Medical Center and to prescribe its function and powers.

Mr. McCorquodale, Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 77. To grant authority to the Department of Conservation to require parties requesting the advertisement of State lands for oil and gas lease purposes to pay for such advertising as may be required by law and to further grant authority to the Department of Conservation to make reasonable charges for copies of its oil and gas lease tract charts.

S. 76. To amend Title 8, Section 239, 1940 Code of Alabama, which pertains to the sale of timber of minerals from school and swamp and overflowed lands.

H. 869. To amend Sections 10 and 14 of Act No. 576, Acts of Alabama 1959, approved November 19, 1959, entitled "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act; duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of \$32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act", as amended by Act No. 878, Acts of Alabama 1961, Regular Session, approved September 8, 1961.

H. 687. To amend Title 8, Section 147, Code of Alabama 1940, which relates to seafood licenses.

H. 688. To amend Title 8, Section 155, as last amended, Code of Alabama 1940, which relates to the licenses for shrimp catchers' boats.

H. 691. To amend Title 8, Section 164, 1940 Code of Alabama, which relates to a tax on shrimp that are not to be exported.

H. 692. To amend Title 8, Section 135, as last amended, Code of Alabama 1940, which relates to the licensing of vessels used to catch or transport oysters.

H. 689. To amend Section 1 of Act No. 796, page 1089 of the Acts of Alabama, 1953 Regular Session, entitled "An Act To provide for licenses for oyster catchers to take or catch oysters and to set out the amount to be paid for such licenses."

H. 720. To provide a program for the protection of forest trees from insect infestation and disease. To establish a system and method for the suppression of infestation and disease in forest trees. To provide for cooperative agreements with the Federal Government, other agencies and persons. To provide for a fund known as the "Control of Forest Tree Insects and Diseases Fund".

H. 690. To amend Title 8, Section 138, Code of Alabama 1940, so as to impose the present license for shippers of raw oysters on persons, firms, and corporations who can or shuck raw oysters.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following Resolution and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. J. R. 93. Proposing an amendment to the Constitution of Alabama.

The above resolution was read a second time at length as required by the Constitution.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 631. Relating to elections; amending Code of Alabama 1940, Title 17, Sections 413 and 416, which relate to mass meetings or beat meetings, so as to provide for notice of such meetings and to prescribe penalties for persons who are not qualified voters who participate in such meetings.

Mr. Bevill, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 906. (With Substitute). To propose constitutional amendments so as to change the method of apportioning the House of Representatives and the Senate and to provide for revised apportionment at the time these amendments take effect.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 880. Relating to counties having a population of not less than 76,000 nor more than 96,000: Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

H. 881. To provide that clerks of county courts or other inferior courts in counties having a population of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census, may take affidavits and compliants, issue warrants of arrest in misdemeanor and felony cases, and issue search warrants.

H. 882. Relating to counties having a population of not less than 25,700 nor more than 25,900; regulating further the compensation and expense allowance of county superintendents of education.

H. 883. To provide an allowance for clerk hire for the circuit court clerk of all counties having populations of not less than 25,700 nor more than 25,900.

H. 884. Relating to counties having populations of not less than 10,800 nor more than 11,800; prohibiting payroll deduction of dues of teachers and school employees in professional organizations; prescribing punishment for violations.

H. 886. Relating to counties having populations of less than 10,800; prescribing the compensation of the county superintendents of education.

H. 887. To fix and provide for the payment of the ex officio fees of the clerks of the circuit courts of all counties in this state having populations of not more than 11,800, according to the last or any subsequent federal decennial census.

H. 888. Relating to Coosa County; providing additional compensation for certain election officers.

H. 889. To provide for the selection of office assistance for the County Superintendent of Education for Coosa County, Alabama, and to fix the compensation of such help.

H. 904. To amend Title 14, Section 246, Code of Alabama 1940, so as to authorize domino games in billiard rooms in counties having a population of not less than 50,000 nor more than 54,000.

H. 907. To repeal Act No. 851, H. 1478, Regular Session 1961 (Acts 1961, p. 1277), which authorizes the court of county commissioners, board of revenue, or other like governing body of Lamar County to levy, when approved by a majority of the qualified voters of the county, special privilege license and excise taxes paralleling the state sales and use taxes, and provide for the collection and enforcement of such taxes by the state department of revenue.

H. 908. To alter, rearrange, and extend the boundary lines and cor-

porate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

H. 909. To alter, rearrange, extend, and redefine the boundaries and corporate limits of the town of Waterloo in Lauderdale County.

H. 911. Relating to the office of Solicitor of the Fifth Judicial Circuit: creating a solicitor's fund for the use of the Circuit Solicitor.

H. 915. Relating to Limestone County; to amend further Act No. 120, S. 210, approved July 17, 1947, as amended relating to the office of the tax collector, increasing the compensation of the clerk.

H. 916. Relating to Limestone County; to amend further Section 2 of Act No. 95, H. 395, approved July 7, 1947, as amended, relating to the office of the tax assessor, increasing the compensation of the regular clerk.

H. 919. Relating to counties having populations of not less than 110,000 nor more than 160,000; providing for appointment and compensation of a secretary for the circuit court judges.

H. 920. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 100,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

H. 934. Relating to counties having populations of not less than 22,350 nor more than 24,350; providing expense allowances for members of the governing bodies of such counties.

H. 935. Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties.

H. 936. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16N, Range 1E.

H. 940. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939, (Local Acts 1939, p. 248), an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office.

H. 941. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance.

H. 942. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Ragland in said county.

H. 943. To apply in St. Clair County; regulating further the taking of fish from the Coosa River; authorizing the the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

H. 948. To provide further for purging the lists of registered voters in Tallapoosa County, requiring and prescribing the procedure for reiden-

tification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a wilful false statement in connection with reidentification.

H. 949. To provide for the City of Jasper in Walker County a civil service system governing the appointment, removal, salaries, tenure and official conduct of employees of the city; defining violations of the Act; imposing penalties for violations; and repealing conflicting laws.

H. 952. Relating to counties having populations of not less than 15,300 nor more than 15,400; levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

H. 953. To amend Section 1 of Act No. 94, H. 250, Regular Session 1957 (Acts 1957, v. 1, p. 134), an act relating to the compensation of the superintendent of education of Winston County.

H. 954. To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the Town of Addison, Alabama, in Winston County, Alabama, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of the Town of Addison, Alabama to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 933. To amend Act No. 252, S. 198, Special Session 1961 (Acts 1961, p. 2265), an act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000.

H. 932. Relating to the recording of certain maps, plats, and deeds in counties having populations of not less than 300,000 nor more than 600,000.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 814. (With Amendment). To amend further Act No. 678, H. 1364, Regular Session 1961 (Acts 1961, p. 940), an Act regulating the practice of barbering in counties having populations of not less than 300,000 nor more than 500,000.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 929. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,-

000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, With Amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 939. (With Amendment). Relating to the fifteenth judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 879. Relating to counties having populations of not less than 18,000 nor more than 19,000; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Mr. Bevell, Chairman of the Standing Committee on Constitution and Elections, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 827. To amend Section 199, Title 17, Code of Alabama, 1940, relating to canvassing votes after an election, and the time and manner thereof.

H. 828. To amend Section 77, Title 17, Code of Alabama, 1940, as amended, relating to election precincts and districts.

H. 829. To amend Section 197, Title 17, Code of Alabama, 1940, relating to the time of making election returns.

H. 830. To amend Section 360, Title 17, Code of Alabama, 1940, relating to elections and pertaining to the duties of the Sheriff, Marshall, and Chief of Police.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Mr. Grouby (With Notice and Proof):

H. 957. To provide for the compensation of jurors in Autauga County.

Local Legislation No. 1.

Notice and Proof H. 957:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Autauga County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Regular jurors, grand and petit, serving in Autauga County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from courts, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate stating therein the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll he has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1963.

MRS. H. M. DOSTER.

Sworn to and subscribed before me 26th day of July, 1963.

THERON McDOWELL, JR.,
N. P. State at Large.

By Mr. Grouby (With Notice and Proof):

H. 958. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

Local Legislation No. 1.

Notice and Proof H. 958:

STATE OF ALABAMA
COUNTY OF AUTAUGA

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue or other like governing body of Autauga County authorized and directed to provide for payment from the county treasury of all premiums on the official bonds of all county officers, including the corner, who hold office by election.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF AUTAUGA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Mrs. H. M. Doster, who, being by me first duly sworn, deposes and says that during the times herein mentioned she was publisher of the The Prattville Progress, a newspaper of general circulation published in Autauga County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1963.

MRS. H. M. DOSTER,

Sworn to and subscribed before me 26th day of July, 1963.

THERON McDOWELL, JR.,
N. P. State at Large.

By Mr. Casey:

H. 959. To make an appropriation from the State Treasury to the use of the Board of Education of Cleburne County for the construction, reconstruction, altering, or repairing of public school buildings in said county.

Ways and Means.

By Messrs. Drake, Casey, Grouby and Brown (Tuscaloosa):

H. 960. Relating to county and city boards of education; regulating the purchase, sale, or exchange of property and the making of certain contracts for services or work; prescribing penalties.

Local Government.

By Messrs. Edwards (Escambia) and Wood:

H. 961. Relating to prisons and prisoners; creating the department of corrections and institutions; providing for the appointment of a director thereof; abolishing the board of corrections of Alabama; providing for the transfer of all rights, powers, duties, funds, books, and records of the board of corrections to the department of corrections and institutions; repealing conflicting laws.

State Administration.

By Mr. Nabors:

H. 962. To amend further Section 21 of Title 11, Code of Alabama 1940, which relates to fees allowed to Clerks of Circuit Courts.

Judiciary.

By Messrs. Burns, Nabors and Owens:

H. 963. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for certain county officers.

Local Legislation No. 1.

By Mr. Owens:

H. 964. To amend Code of Alabama 1940, Title 48, Section 170, relating to public safety regulations applicable to the operation of railroad locomotive engines; providing additional safety precautions at public road and highway grade crossings.

Judiciary.

By Mr. Owens:

H. 965. Relating to public safety; requiring railroad companies operating within the state to construct or reconstruct all overpasses in use by such railroads over existing public roads and highways of this state to conform to certain minimum safety specifications; prescribing penalties.

Judiciary.

By Mr. Owens:

H. 966. Relating to bowling alley machinery and equipment and the right to install such machinery and equipment in the state; regulating the privilege of leasing or otherwise authorizing the installation in Alabama and the installation and removal of such equipment for certain purposes and under certain conditions; levying certain privilege and excise taxes on the owners of such machinery and equipment and on parts and replacements used in repairing such machines; providing for the collection and enforcement of the taxes hereby levied; requiring certain equipment on bowling alley machines; providing for and requiring the procurement and issuance of permits for the installation of certain bowling alley machinery and equipment in Alabama; providing for the inspection and confiscation under certain conditions of such machinery; prescribing penalties; and dedicating the proceeds of the taxes levied hereby and other funds accruing to the state under this act to old age assistance.

Ways and Means.

By Messrs. Locke, Rast, Perry, Meeks, Bowers, Gilmore, Bethea (M), Bethea (B), Collins, Hawkins, Morrow and Bailes (With Notice and Proof):

H. 967. For the relief of Brenton Clay (B. C.) Clark; provided that the City of Birmingham and the officers thereof be authorized and directed to pay Three Hundred Fifty Dollars (\$350.00) damages sustained in an automobile accident on December 13, 1962, with a vehicle owned by the City of Birmingham and operated by an employee thereof.

Local Legislation No. 2.

Notice and Proof H. 967:

NOTICE

Notice is hereby given of intention to apply at the present regular session of the Legislature of Alabama for introduction and passage of a Bill the substance of which as distinguished from details, is and will be the substance as distinguished from detail of the following:

LOCAL BILL WITH NOTICE AND PROOF

A BILL TO BE ENTITLED AN ACT

For the relief of Brenton Clay (B. C.) Clark; provided that the City of Birmingham and the officers thereof be authorized and directed to pay Three Hundred Fifty Dollars (\$350.00) damages sustained in an automobile accident on December 13, 1962, with a vehicle owned by the City of Birmingham and operated by an employee thereof.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The City of Birmingham and the duly elected officers thereof are hereby authorized and directed to pay by voucher to Brenton Clay (B. C.) Clark the sum of Three Hundred Fifty Dollars (\$350.00) for damages sustained when his automobile was struck by a vehicle of the City of Birmingham driven by an employee of the City of Birmingham on December 13, 1962. The City is directed to pay upon this Act becoming law.

Section 2. This Act shall become effective upon its passage by the Governor or upon its otherwise becoming law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County, in said State, personally appeared Eleanor O. Abercrombie, who, being by me first duly sworn, deposes and says that she is the PUBLISHER OF ALABAMA LEGAL ADVERTISER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established in 1918 under the name of Southern Labor Review which said name was changed to Alabama Legal Advertiser on the 5th day of December, 1959,

and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of June 22, 29, July 6, 13, 1963, a legal notice, a copy of which is hereto attached.

ELEANOR O. ABERCROMBIE,
Publisher.

Sworn and subscribed to on this the 15 day of July, 1963.

MILDRED M. GRIFFIN,
Notary Public.

By Messrs. Turnham, Burnham, Hannah, Boston and Young:

H. 968. To make further annual conditional appropriations for the support of public education in Alabama for each of the fiscal years ending September 30, 1964, and September 30, 1965, including all schools, agencies, services, and institutions under the general or direct control or subject to the rules and regulations of the State Board of Education, the Board of Trustees of Alabama College, the Board of Trustees of Auburn University, the Board of Trustees of the University of Alabama, the Board of Trustees of the Alabama Institute for Deaf and Blind, the Board of Trustees of the Alabama Boys Industrial School, the Board of Trustees of the Alabama Industrial School for Negroes, the Board of Trustees of the State Training School for Girls, and the Alabama Educational Television Commission.

Ways and Means.

By Mr. Turnham:

H. 969. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

Ways and Means.

By Mr. Pennington:

H. 970. Relating to counties having populations of not less than 110,000 nor more than 160,000; creating an educational survey committee to study, evaluate and make recommendations to the boards of education of such counties for improvements in the public school systems of the county; and making appropriations.

Local Legislation No. 1.

By Mr. Pennington:

H. 971. Authorizing any municipality having a population of not less than seventy thousand nor more than one hundred thirty thousand according to the most recent federal decennial census to create a planning commission having certain powers, duties, and regulations.

Local Legislation No. 1.

By Mr. Pennington:

H. 972. Relating to counties having populations of not less than 115,000 nor more than 160,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

Local Legislation No. 1.

By Mr. Engel:

H. 973. To amend Section 1 (b) of Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedules relating to the registration of trucks, truck-tractors, trailers, and semi-trailers (Acts 1961, v. 1, p. 921).

Ways and Means.

By McDermott:

H. 974. To amend the title and Section 2 of Act No. 629, H. 1028, Regular Session 1939 (General Acts 1939, p. 997), relating to the issuance of building permits in certain counties classified on a population basis.

Local Legislation No. 3.

By Mr. Goodwyn:

H. 975. Relating to the drafting and recording of certain legal documents.

Judiciary.

By Messrs. Goodwyn, Pierce, Perry, Hawkins, Collins, Gilmore, Rast, Etheredge, Morrow, Locke, Bethea (M), Sessions, Vacca, Meeks, Bowers, Bailes, Dominick, Bethea (B) and Brown (Jefferson):

H. 976. To authorize the Director of Finance, the Director of the State Planning and Industrial Development Board, the State Treasurer and the Executive Secretary to the Governor to become a public corporation for the purpose of acquiring land for, and erecting, constructing, maintaining, operating and leasing thereon, a products market, exhibition halls, buildings and other related structures and facilities in Jefferson County, Alabama, where products and goods may be displayed to encourage the buying and selling of such products and goods, to encourage the expansion of existing industries in Alabama, to encourage the location of new industries in Alabama and to foster and encourage the growth of the general economy of Alabama; to provide the procedure for incorporation and to designate the members, directors and officers of the Authority; to provide for the establishment in Jefferson County, Alabama, of a products market to be known as the Southern Products Mart Authority; to prescribe the powers of the Authority, including the power to acquire real estate and to acquire, erect, construct, insure, maintain, manage, operate and lease thereon, facilities, buildings, warehouses, storage facilities, exhibition halls, parking areas and other structures and appurtenances of every kind and character used or useful by the Authority for its purposes, to exercise the power of eminent domain, and the power to sell and issue not exceeding five million dollars principal amount of bonds for such purposes; to specify certain provisions to be contained in the bonds and the execution and sale of such bonds; to authorize the issuance of refunding bonds; to provide for the investment of the proceeds from the sale of the bonds of the Authority; to provide that all properties of the Authority and the income therefrom and all bonds issued and the income therefrom and all leases made and all lien notices filed shall be exempt from all taxation in the State of Alabama; to provide that such bonds shall constitute negotiable instruments; to provide that such bonds shall be payable solely out of revenues, receipts and income of the Authority and shall not create an obligation or debt of the State or any political subdivision thereof other than the Authority; to provide that any bonds issued by the Authority may be used as security for the deposits and investment of public funds and fiduciary funds; to specify the application of the proceeds of the bonds

of the Authority; to specify the application of the revenues, receipts and income of the Authority; to provide for the construction and equipment of the buildings and facilities of the Authority; to create a reserve fund for the benefit of the bonds of the Authority; to authorize the Authority to pledge such revenues, receipts and income from its facilities as may be necessary to pay the principal of and interest on its bonds; to authorize the filing for record of an instrument reciting the issuance of said bonds and the creation of said pledge as a lien on said revenues, receipts and income which filing will constitute notice; to provide that the State Treasurer shall be the custodian of the funds of the Authority; to provide for the lease to or by any person as defined in the act, including the state or any political subdivision thereof, any agency or board of the state, any municipality or body politic, of space for occupancy on the premises or in the buildings or other structures of the Authority; to provide for the audit of books and accounts of the Authority; to provide for competitive bidding on construction contracts; to authorize publication of notice of the resolution authorizing any bonds or pledge and to specify a limitation of time thereafter for actions or defenses respecting said bonds or pledge; to provide for and limit remedies in the event of any default; to provide for dissolution of said Authority and conveyance of its assets and properties to the state upon payment of said bonds; to provide that the provisions of this act shall be severable; and to provide for a date upon which this act shall become effective.

Ways and Means.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 977. To alter and rearrange the boundaries of the City of Decatur in Morgan County, so as to exclude certain territory from the corporate limits of the city.

Local Legislation No. 1.

Notice and Proof H. 977:

NOTICE is hereby given that at the present session or any future session of the Legislature of Alabama a Bill substantially as follows will be introduced and application for its enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Decatur in Morgan County, to as to exclude certain territory from the corporate limits of the city.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the City of Decatur in Morgan County are hereby altered and rearranged so that the following described territory shall be excluded from the area embraced within the corporate limits of the city, and shall no longer form a part of the city, to-wit:

N½ of SW¼ of NE¼ of Section 10, Township 6, Range 5 West, in Morgan County, Alabama, containing 20 acres, more or less.

And

That part of the SE¼ of the NE¼ of Section 10, Township 6 South, Range 5 West, described as beginning at the north east corner of Section

10, Township 6 South, Range 5 West, and running south 3 degrees east (mag) 1,328 feet to a point on the centerline of a county road; thence running south 87 degrees 00 minutes west (mag) 1,320 feet to a point; thence running south 3 degrees 00 minutes east (mag) 462 feet to the true point of beginning; thence continuing south 3 degrees 00 minutes east (mag) 198 feet to a point; thence running south 77 degrees 40 minutes east (mag) 250 feet to a point on the centerline of a county road; thence running north 28 degrees 00 minutes east (mag) along the centerline of said road; a distance of 197.7 feet to a point; thence running north 77 degrees 40 minutes west (mag) 355.75 feet to the true point of beginning, containing 1.33 acres.

Section 2. all laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1963.

B. C. SHELTON,

Sworn to and subscribed before me July 18th, 1963.

R. H. JERVIS,
Title Notary Public.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 978. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

Local Legislation No. 1.

Notice and Proof H. 978:

NOTICE is hereby given that at the present session or any future session of the Legislature of Alabama a Bill substantially as follows will be introduced and application for its enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries of the City of Decatur in Morgan County are hereby altered, rearranged, and extended so as to include within the corporate limits of such city, in addition to the territory included within the present corporate limits, the following described territory:

The SE¼ of the NE¼ of Section 12, Township 6 South, Range 5 West, containing 40 acres, more or less.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16 all in the year 1963.

B. C. SHELTON,

Sworn to and subscribed before me July 18th, 1963.

R. H. JERVIS,
Title Notary Public.

By Messrs. Brewer and Slate (With Notice and Proof):

H. 979. TO AMEND SECTION 7, AS HERETOFORE AMENDED, OF AN ACT ENTITLED "AN ACT to create the Municipal Utilities Board of Decatur; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of the members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide for the compensation of the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the City of Decatur by said Board; to provide for the employment by the Board of a manager, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide

method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,000, the expenditure must be approved by the City Council of the City of Decatur; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should be in the future acquired by the City of Decatur; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the City Council", ADOPTED BY THE LEGISLATURE OF 1939, AND APPROVED ON MARCH 3RD, 1939.

Local Legislation No. 1.

Notice and Proof H. 979:

NOTICE is hereby given that at the present session or any future session of the Legislature of Alabama a Bill substantially as follows will be introduced and application for its enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND SECTION 7, AS HERETOFORE AMENDED, OF AN ACT ENTITLED "AN ACT to create the Municipal Utilities Board of Decatur; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide for the compensation of the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the City of Decatur by said Board; to provide for the employment by the Board of a manager, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,000, the expenditure must be approved by the City Council of the City of Decatur; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should be in the future acquired by the City of Decatur; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the City Council," ADOPTED BY THE LEGISLATURE OF 1939, AND APPROVED ON MARCH 3RD, 1939.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That Section 7, as heretofore amended, of an Act entitled "AN ACT To create the Municipal Utilities Board of Decatur; to provide

for its membership; to appoint the members to compose the original Board; to provide the qualification of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide for the compensation of the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all Courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the City of Decatur by said Board; to provide for the employment by the Board of a manager, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,000, the expenditure must be approved by the City Council of the City of Decatur; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should in the future be acquired by the City of Decatur; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the City Council," adopted by the Legislature of Alabama of 1939 and approved on March 3rd, 1939, be and the same is amended so as to read as follows:

"Section 7. COMPENSATION OF THE MEMBERS OF THE BOARD — Each member of the Board shall be paid at the rate of \$100.00 per month, and the Board shall have the authority to fix such additional compensation as it may from time to time determine for the member of the Board who acts as Secretary of the Board, to compensate him for his services as Secretary. The compensation for the members of the Board and the additional compensation to the Secretary shall be paid in monthly installments from the money received from the operation of the utilities under the control of the Board in such proportions as the Board may from time to time fix and determine.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF MORGAN

Before me, the undersigned authority in and for said County in said State, this day personally appeared B. C. Shelton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Decatur Daily, a newspaper of general circulation published in Morgan County, Alabama, and that attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1963.

B. C. SHELTON.

Sworn to and subscribed before me July 18th, 1963.

R. H. JERVIS,
Title Notary Public.

By Messrs. Slate, Hain, Sessions, Teel, Harper, Engel and Ingram:

H. 980. To provide for the appointment, removal, and discharge of a legal representative to manage public assistance payments for certain public assistance applicants or recipients, and to prescribe the duties of such legal representative.

Judiciary.

By Mr. Sullivan:

H. 981. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 21,850 nor more than 21,950 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Local Legislation No. 1.

By Mr. Holladay (With Notice and Proof):

H. 982. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the town of Ragland, St. Clair County.

Local Legislation No. 1.

Notice and Proof H. 982:

A BILL
TO BE ENTITLED
AN ACT

To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the town of Ragland, St. Clair County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The State department of revenue shall collect any sales and use taxes levied or assessed by the town of Ragland, St. Clair County, under the provisions of a municipal ordinance when the levy is identical to the state levy except for rate of tax, and subject to all definitions, exceptions, exemptions, proceedings, requirements, rules, regulations, provisions, penalties, fines, punishments and deductions as are applicable to the state sales and use taxes levied by Act No. 100, H. 94, Second Special Session 1959, and Article 11, Chapter 20, of Title 51, Code of Alabama 1940, and all acts amendatory thereof or supplementary thereto, except where inapplicable or where herein otherwise provided, including provisions for enforcement & collection of the taxes, if the ordinance is duly promulgated and adopted by the governing body of the municipality and a certified copy of the ordinance is filed with the state department of revenue.

Section 2. Such municipal sales and use taxes shall be collected by the state department of revenue at the same time and along with the col-

lection by the department of taxes levied and collected for the state under the provisions of said Act No. 100, H. 94, Second Special Session 1959, and Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as amended; and all reports required to be made to the commissioner of revenue hereunder shall, on request made to the department of revenue, be made available for inspection by the governing body of the municipality levying the tax, or its designated agent, at reasonable times during business hours.

Section 3. The department of revenue shall prepare and distribute such reports, blank forms, and other information as may be necessary to provide for collection of such municipal taxes, and shall have all the authority and duties hereunder as it has in connection with the collection of the state sales and use taxes provided for by said Act No. 100 and said Article 11 of Chapter 20, Title 51, Code 1940, as amended and supplemented.

Section 4. It shall be the duty of the commissioner of revenue to pay into the state treasury all municipal taxes collected under this Act, and on or before the first day of the following month, the commissioner shall certify to the comptroller the amount of special taxes collected under the provisions of this Act for the use and benefit of the municipality during the calendar month immediately preceding the making of such certificate. The amount certified by the commissioner of revenue as having been collected for the use of the municipality, less collection charges deducted, shall be paid to the treasurer or other custodian of funds of the municipality levying the tax. The state department of revenue shall charge the municipality for collecting municipal sales and use taxes the cost to the department of making such collections, provided such charge shall not exceed ten percent of the amount collected. The comptroller shall once each month draw his warrant on the funds collected under this Act payable to the department of revenue for the amount of such charges, as determined by the commissioner of revenue.

Section 5. The commissioner of revenue may employ special counsel when necessary to enforce collection of such municipal sales and use taxes, and otherwise to enforce the provisions of the ordinances levying such taxes, including any litigation required, and the department of revenue may pay special counsel such fees as the commissioner considers reasonable and proper from the proceeds of the taxes payable to such municipality under the provisions of this Act.

Section 6. Any amendment of any municipal ordinance heretofore adopted levying a tax required to be collected hereunder shall not be effective until the first day of the month next following the expiration of 30 days from the date of the adoption of such amendment. The department of revenue shall not be required to make any collection of municipal taxes, or otherwise perform any duties as provided for herein until a certified copy of the ordinance and amendments thereto has been on file with the department of revenue for at least 30 days.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective October 1, 1963 upon its passage and approval by the Governor or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF ST. CLAIR

Before me, the undersigned authority in and for said County in said State, this day personally appeared E. R. Blair, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the St. Clair News-Aegis, a newspaper of general circulation published in St. Clair County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on 6-27, 7-4, 7-11, and 7-18, all in the year 1963.

E. R. BLAIR.

Sworn to and subscribed before me July 22nd, 1963.

ETHEL BLAIR,
Title Notary Public.

By Messrs. Brown (Tuscaloosa), Callahan, Campbell (Tuscaloosa), Drake, Grouby, Casey, Turner (Crenshaw), Snell, Powell, Burns, Daniel, Nettles, Sullivan, Moore, Scurlock and Bevill:

H. 983. To authorize and provide for the payment of unemployment benefits to the widow or minor children of a deceased employee.

Business and Labor.

By Messrs. Bevill and Scurlock:

H. 984. To create the State Sovereignty Commission in the Executive Branch of the Government of the State of Alabama, to provide for the membership thereof; to describe its duties, authority and powers; to provide the method for the selection of its members, their status and term of service; and to repeal all laws or parts of laws in conflict herewith.

Ways and Means.

By Messrs. Morrow, Perry, Sessions, Bowers, Hawkins, Rast, Collins and Bailes:

H. 985. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Ways and Means.

By Mr. Teel:

H. 986. To make an appropriation from the State Treasury to the use of the Board of Education of Coosa County for the construction, reconstruction, altering, or repairing of public school buildings in said county.

Ways and Means.

By Mr. Young:

H. 987. Prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement.

Local Legislation No. 1.

By Mr. Barnett (With Notice and Proof):

H. 988. To raise revenue for educational purposes in Perry County; to levy an excise tax on bottled soft drinks; and to provide for the collection and administration of such tax; repealing Act No. 723, H. 1048, Regular Session 1961.

Local Legislation No. 1.

Notice and Proof H. 988:

LEGAL NOTICE

STATE OF ALABAMA COUNTY OF PERRY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

To raise revenue for educational purposes in Perry County; to levy an excise tax on bottled soft drinks; and to provide for the collection and administration of such tax; repealing Act No. 723, H. 1048, Regular Session 1961.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following words, terms and phrases, when used in this act shall have the meanings ascribed to them in this section, unless a different meaning is clearly indicated:

"Bottled Soft Drinks." Bottled soft drinks, as referred to in this act, shall include any and all non-alcoholic beverages, whether carbonated or not, such as soda water, ginger ale, coca cola, lime cola, pepsi cola, Dr. Pepper, fruit juice when any plain or carbonated water, flavoring or syrup is added, milk drinks when any flavoring or syrup is added, carbonated water, orangeade, lemonade, root beer, or any and all preparations commonly referred to as soft drinks of whatsoever kind, which are closed and sealed in glass, metal, paper, or any other type of container or bottle, and are further described to include any and all beverages commonly referred to as "soft drinks," which are manufactured, with or without the use of any syrup. The term "Bottled Soft Drinks" shall not include natural undiluted fruit juice, vegetable juice, or fluid milk (not powdered or reconstituted) to which flavoring alone is added, constituting a product containing not less than two and one-half (2½) percentum butter-fat when bottled, closed or sealed.

"Bottler." A person engaged in manufacturing, bottling, preparing for market, or segregating in sealed containers any soft drink.

"Distributor." Any person engaged in the purchase for resale of bottled soft drinks in original containers, or bottles, as prepared for market.

"Stamps." The impression, device, stamp, label or seal, manufactured or printed, as prescribed by the board by use of which the tax imposed or assessed hereunder, is paid.

"Crown." The crown or crowns by the use of which the tax imposed or assessed hereunder is paid.

"Original Container." Bottle, cask, keg, receptacle, can, carton, or other container that has been securely capped, sealed, crowned, or corked by the manufacturer or bottler.

"Board." The board of revenue or other governing body of Perry County, Alabama.

"Sale." Any transfer for consideration, exchange, barter, gift, offer for sale and distribution in any manner or by any means whatsoever.

Section 2. (a) On or after the effective date of this act it shall be unlawful for any person to continue to engage in, or thereafter to begin to engage in, the manufacture, bottling, or delivery for distribution or sale of bottled soft drinks within Perry County, unless he holds a valid bottled soft drink permit, issued to him as hereinafter prescribed, and the stamps or crowns, hereinafter prescribed are affixed to each bottled soft drink bottled or distributed by him.

(b) Every person desiring to continue to engage in, or hereafter to begin to engage in, the manufacture, bottling, delivering for distribution for sale, or distributing of bottled soft drinks within Perry County shall file an application for a bottled soft drink permit with the clerk of the board. The application shall be made upon a form prescribed by the board, and shall set forth the name under which the applicant transacts or intends to transact business, and the location of his place of business. If the applicant has or intends to have more than one place of business the application shall state the location of each place of business. If the applicant is an association the application shall set forth the names and addresses of the persons constituting the association, and if a corporation, the names and addresses of the principal officers thereof, and any other information prescribed by the board for purposes of identification. The application shall be filed by the owner, if a natural person, and in the case of an association, by a member or partner thereof, and in the case of a corporation by an executive officer thereof, or some person specifically authorized by the corporation to file the application to which shall be attached the written evidence of his authority.

At the time of making such application the applicant shall pay to the clerk of the board a permit fee of one dollar (\$1.00) for each permit.

Upon the approval of the application and the payment of the permit fee, or fees herein required, the clerk shall grant and issue to the applicant a soft drink permit for each place of business as set forth in his application. Such permit shall not be assignable and shall be valid only for the person in whose name it is issued, and for the transaction of business at the places designated therein and shall at all times be conspicuously displayed at the places for which issued.

Permits shall expire on the thirtieth day of September next succeeding the date upon which they were issued unless sooner suspended, surrendered, or revoked for cause by the board.

(c) Permits issued under the provisions of this act may be renewed annually before the first day of October upon application made to the clerk of the board and the payment of a renewal fee of one dollar (\$1.00).

Whenever any permit issued under the provisions of this act is defaced, destroyed, or lost, the clerk may issue a duplicate permit to the holder of the defaced, destroyed, or lost permit, upon the payment of a fee of fifty cents (50c).

(d) The board may suspend, or after a hearing revoke, a permit whenever advised that the holder thereof has failed to comply with any of the provisions of this act, or any rules or regulations of the board prescribed, adopted and promulgated under this act. Upon suspending or revoking any permit the board shall require the holder thereof to surrender to it immediately all permits or duplicates thereof issued to him. Whenever the board suspends a permit it shall notify the holder immediately, and afford him a hearing, if desired and if a hearing has not already been afforded. After such hearing the board shall either rescind its order of suspension or, good cause appearing therefor, shall continue the suspension or revoke the permit.

Section 3. Each manufacturer, bottler and distributor shall be liable to the County of Perry for the excise tax imposed by this section upon the producing, preparing, manufacturing, segregating, delivery for distribution for sale, or distributing in the county of all bottled soft drinks, and such tax shall be paid before such products are consumed, transported, sold or offered for sale within the county. Nothing herein shall be construed to require the payment of the tax more than once on the same bottle or other container of soft drinks. Such excise tax shall be measured at the rate of one cent (1c) per twelve (12) fluid ounces, or fraction thereof for bottled soft drinks.

Section 4. (a) The payment of the taxes herein provided shall be evidenced by the affixing of bottled soft drink tax stamps or crowns, to the original containers or bottles in which soft drinks are placed, received, stored, shipped or handled. Such stamps or crowns shall be affixed to each individual container or bottle by the manufacturers, bottlers or distributors before the same are used, sold or transported within Perry County for use, sale, delivery, storage or consumption therein. Nothing herein contained shall require stamps or crowns to be attached to containers, or bottled soft drinks which are transported through the county and which are not consumed, sold, delivered or stored therein, if transported in accordance with such rules and regulations as may be adopted by the board.

The provisions of this section with reference to the stamping or crowning of bottled soft drinks shall not apply to bottled soft drinks to which stamps or crowns have been once affixed, as required herein, regardless of how often the soft drinks in their original containers or bottles may be sold or resold within the county.

(b) It is the intent and purpose of this section to require all manufacturers, bottlers, distributors and other persons, except as provided in subsection (a), to affix the stamps or crowns provided for in this act, to all original containers or bottles in which soft drinks are normally placed, prepared for market, received, sold, or handled, before such products are sold or transported within the county.

(c) If it is established to the satisfaction of the board that due to economic conditions, or due to existing stocks of unstamped crowns in the possession of manufacturers or bottlers on the effective date of this act, or due to unavailability of material, it is impractical to use soft drink tax crowns or stamps, the board may provide by regulation some other means of evidence of payment of the tax imposed by this act.

(d) Except as provided in subsection (c), above, any manufacturer, bottler or person, who shall prepare, manufacture, sell or use bottled soft drinks in Perry County without affixing to the original containers or bottles the stamps or crowns required by this act, and any person who shall purchase, receive, transport, store, or sell in such districts any bottled soft drinks, to which the stamps or crowns required by this act are not affixed, shall be guilty of a misdemeanor.

Section 5. (a) If any person shall fail to pay any tax imposed by this act for which he is liable, the board may make an assessment of additional tax due by such person based upon any information within its possession or that shall come into its possession.

(b) Promptly after the date of such assessment the board shall send by registered mail a copy thereof to the person against whom it was made. Within thirty (30) days after the date upon which the copy of any such assessment was mailed, such person may file with the board a petition for reassessment of such taxes. Every petition for reassessment shall state specifically the reasons which the petitioner believes entitled him to such reassessment, and it shall be supported by affidavit that it is not made for the purpose of delay and that the facts set forth therein are true. It shall be the duty of the board, within three (3) months after the date of any assessment, to dispose of any petition for reassessment. Notice of the action taken upon any petition for reassessment shall be given to the petitioner promptly after the date of reassessment by the board.

(c) Any person aggrieved by the decision of the board or by the board's failure to act upon his petition for reassessment within six (6) months, may, within sixty (60) days, appeal to the circuit court of the county from the decision of the board in the manner now or hereafter provided by law for appeals in the case of tax settlement.

(d) In all cases of petitions for reassessment, review or appeal, the burden of proof shall be upon the petitioner, or appellant, as the case may be.

(e) Whenever any assessment of additional tax is not paid within ninety (90) days after the date thereof, if no petition for reassessment has been filed, or within sixty days (60) days from the date of reassessment, if no appeal has been made, and, in all cases of judicial sales, receiverships, assignments, or bankruptcies, the board may proceed to collect such assessment. In such event in a proceeding for the collection of such taxes the person against whom they were assessed shall not be permitted to set up any ground of defense that might have been determined by the board, or the court as aforesaid. The board may also provide, adopt, promulgate and enforce, such rules and regulations as may be appropriate to prevent further shipment or transportation of bottled soft drinks into the county by any person against whom such unpaid assessment shall have been made.

Section 6. The board shall prescribe, prepare and furnish stamps or crowns of such denominations and quantities as may be necessary for the payment of the tax imposed and assessed by this act. The board shall make provision for the sale of such stamps or crowns in such places and at such times as it may deem necessary.

The board may appoint persons within the county as agents for the sale of stamps or crowns to be used in paying the tax herein imposed, and whenever the board shall sell, consign, or deliver to any such agent any such stamps or crowns for sale or use, such agent shall be entitled to receive as compensation for his services and expenses as such agent and to retain out of the moneys to be paid by him for such stamps, a commission of one-half of one percentum on the face value thereof. The board may allow such commission or compensation in the settlement of the accounts of such agent upon payment by him into the county treasury, through the board of any moneys which may be or become due the county by reason of the sale, delivery, or consignment to such agent of such stamps or crowns.

The board may allow to each purchaser of tax stamps, or tax crowns, a discount of eight (8) percentum of the purchase price of the tax value

of stamps or crowns purchased upon the payment by him into the county treasury through the board, of any monies due the county by reason of the sale, delivery or consignment to such purchaser of such stamps or crowns.

The said discount shall be allowed by the board in lieu of any claim for refund by reason of, (1) the breakage or destruction of containers, stamped or crowned, as provided in this act, in possession of the purchaser, or (2) the loss or destruction of tax stamps or tax crowns.

The board may, in proper cases and upon application, advance to manufacturers and bottlers of soft drinks tax crowns or tax stamps, for a period not exceeding seventy-five (75) days, in such amount, or of such tax value, as shall be determined by the board upon consideration and determination of the following: (1) the applicant's satisfactory credit rating (2) the applicant's average monthly rate of use of stamps or crowns, and (3) the applicant's average monthly credit extension on accounts receivable for bottled soft drinks sold. The board shall further require the applicant to file a bond in the form prescribed by the board in twice the amount of the tax value of the stamps or crowns to be advanced.

Section 7. Stamps shall be affixed in such manner as shall be prescribed by regulations adopted and promulgated by the board.

Section 8. The board or any agent appointed in writing by it is hereby authorized to examine the books, papers, invoices and other records, and the stock of bottled soft drinks in and upon any premises where the same are placed, stored, or sold and in or on any car, vessel, truck, vehicle, or other means of transportation, to verify the payment of or liability for the tax imposed by this act. Any person in possession of such bottled soft drinks is hereby directed and required to give to the board, or its duly authorized representative, the means, facilities and opportunities for such examination. The board or any of its duly authorized agents, is hereby authorized to confiscate any bottled soft drinks stored, sold, or transported in violation of the provisions hereof.

Section 9. Producers, manufacturers, bottlers, or other vendors of bottled soft drinks from without Perry County shall purchase stamps or crowns from the board and affix them in the manner prescribed by the board to original containers or bottles of soft drinks to be sold, delivered or transported for delivery in the county.

Section 10. (a) In case any bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been sold or shipped by him to a licensed or regular dealer in bottled soft drinks in another county, such manufacturer or bottler shall be entitled to a refund of the actual amount of tax paid by him upon condition that the seller shall make affidavit that the bottled soft drinks were so sold and shipped, and that he shall furnish from the purchaser, if a distributor, an affidavit, or in cases where the total purchase price is five dollars (\$5.00) or less, or where the purchaser is a retailer, a written certificate in lieu of an affidavit, or upon satisfactory proof that such affidavit or certificate cannot be obtained, other evidence satisfactory to the board that he has received such bottled soft drinks for sale or consumption outside the county, and the amount of stamps or crowns thereon, together with the name and address of the purchaser.

(b) In case any bottled soft drinks upon which stamps or crowns have been placed by a manufacturer or bottler have been destroyed by fire, flood or disaster, he shall be entitled to a refund of the actual amount of tax paid by him upon condition that he shall make affidavit that such bottled soft drinks were so destroyed, and shall also furnish the board with such other proof as the board shall require. In each of the

above cases, the board shall issue to the manufacturer or bottler stamps or crowns of sufficient value to cover the refund. The procedure for refund in any case shall be completed by the board within ninety (90) days after the proper affidavits have been filed with the board.

(c) The provisions contained in this section shall constitute the exclusive grounds for refund of taxes actually paid by the taxpayer under the provisions of this act.

Section 11. The board may promulgate rules and regulations to relieve manufacturers or bottlers from affixing the stamps or crowns on such goods as are sold and shipped to points outside the county.

Section 12. (a) Except as otherwise provided in this act, it shall be unlawful for any person to accept delivery of bottled soft drinks, as defined in this act, in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the board. Such acceptance shall be a misdemeanor, and upon conviction thereof, such person shall be fined ten dollars (\$10.00) for each container or bottle so accepted, and in default of payment thereof shall undergo imprisonment for not more than five (5) days for each container or bottle so accepted. Possession of bottled soft drinks in containers or bottles upon which stamps or crowns are not affixed and perforated or cancelled in the manner prescribed by the regulations of the board shall be prima facie evidence of violation of this section.

(b) Any manufacturer, bottler, distributor or other person, who or which, is not a holder of a permit or permits as required by this act, and who or which, engages in the preparation, manufacture, bottling, sale, distribution or transportation of bottled soft drinks in the county is guilty of a misdemeanor.

(c) Any person who shall fail, neglect or refuse to comply with, or shall violate any provisions of this act for which violation no specific penalty is provided, or any of the rules and regulations prescribed, adopted and promulgated by the board under the provisions of this act, or who shall refuse to permit the board or any agent appointed by it in writing to examine his books, papers, invoices and other records, his stock of bottled soft drinks in and upon any premises where the same are prepared, manufactured, bottled, stored and sold in or on any car, vessel, truck, vehicle, or other means of transportation, and his equipment pertaining to the manufacture, transportation, storage or sale of bottled soft drinks as defined in this act, shall be guilty of a misdemeanor.

(d) Any person who falsely or fraudulently makes, forges, alters or counterfeits any stamp or crown prescribed by the board, under the provisions of this act, or causes or procures to be falsely or fraudulently made, forged, altered, or counterfeited any such stamp or crown or who knowingly and wilfully utters, publishes, passes or tender as true, any such false, altered, forged or counterfeited stamp or crown with intent to utter, publish, pass or tender, such stamp or crown as true, or who uses more than once any stamp or crown provided for and required by this act, for the purpose of evading the tax hereby imposed and assessed, shall be guilty of a felony and shall be punished by imprisonment for not less than two years.

Section 13. The board is hereby charged with the enforcement of the provisions of this act and is hereby authorized and empowered to prescribe, adopt, promulgate and enforce, rules and regulations, relating to any matter or thing pertaining to the administration and enforcement of the provisions of this act, and the collection of taxes imposed by this act.

The board may prescribe, adopt, promulgate and enforce rules and regulations relating to the transportation of bottled soft drinks through the county and from points outside the county to points within the county and prescribe, adopt, promulgate and enforce rules and regulations reciprocal to those of, or laws of any other state or territory, affecting the transportation of bottled soft drinks, manufactured in this State.

Section 14. The revenue derived from the tax herein levied, less the expenses incurred for collecting such revenue shall be remitted to the custodian of county school funds, who shall place such fund in a special account. Such fund shall be spent by the county board of education for educational purposes as authorized by law within the county.

Section 15. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional such declaration shall not affect the part which remains.

Section 16. This act supersedes Act No. 723, H. 1048, Regular Session 1961, which is hereby repealed.

Section 17. This act shall become effective on the first day of the second month next following the date of its enactment and cease to be effective September 30, 1967.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF PERRY

Before me, the undersigned authority in and for said County in said State, this day personally appeared J. M. Wallace, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Marion Times-Standard, a newspaper of general circulation published in Perry County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

J. M. WALLACE.

Sworn to and subscribed before me July 22, 1963.

ELIZABETH F. STEWART,
Title Notary Public, Perry Co. Ala.

By Mr. Jones (Covington):

H. 989. To make an appropriation from the state treasury to the use of the board of education of Covington County for constructing, furnishing, and equipping a new school building at Red Level.

Ways and Means.

By Mr. Jones (Covington):

H. 990. To make an appropriation from the state treasury to the use of the board of education of Covington County for constructing, furnishing, and equipping a certain school building at Straughn School in Covington County.

Ways and Means.

By Mr. Jones (Covington):

H. 991. To make an appropriation from the state treasury to the use of the board of education of Covington County for constructing, furnishing, and equipping a new school building for negroes at Florala.

Ways and Means.

By Mr. Jones (Covington):

H. 992. To make an appropriation from the state treasury to the use of the board of education of Covington County for constructing, furnishing, and equipping a certain school building at Pleasant Home School in Covington County.

Ways and Means.

By Mr. Jones (Covington):

H. 993. To make an appropriation from the state treasury to the use of the board of education of the City of Opp for constructing and/or equipping certain school buildings and facilities.

Ways and Means.

By Mr. Jones (Covington):

H. 994. To make an appropriation from the state treasury to the use of the board of education of Covington County for the purposes of constructing and equipping certain school buildings in Covington County.

Ways and Means.

MOTION IN WRITING

Mr. Holladay filed the following Motion in Writing:

Mr. Speaker:

Having voted with the prevailing side on the passage of House Bill 709, I now move to reconsider the vote by which H.B. 709 was passed, and I call for the ayes and nays.

MOTION IN WRITING

Mr. Holladay offered the following Motion in Writing:

House Bill 709 having heretofore been sent to the Senate, I move the clerk of the House be directed to request the Senate to return to the House, H.B. No. 709.

On motion of Mr. Thomas the Motion in Writing offered by Mr. Holladay was laid upon the table.

Yeas 42; Nays 30.

Yeas:

Mr. Speaker
Avery
Bailes

Barnett
Bevill
Blanton

Boston
Callahan
Campbell (Tuscaloosa)
Cantrell
Cates
Collins

Cook	Gilmore	McDermott	Rast
Cooper	Grouby	Martin	Scurlock
Drake	Hain	Meeks	Sessions
Edington	Hannah	Merrill	Sullivan
Edwards (Escambia)	Harper	Morrow	Thomas
Engel	Hawkins	Paulk	Turner (Crenshaw)
Faulk	Hogan	Perry	Vacca
Fields	Locke		

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Nays:

Messrs.	Cornett	Ingram	Salter
Albea	Crawford	Jones (Covington)	Slate
Baker (DeKalb)	Doggett	Little	Snell
Branyon	Downing	Mashburn	Stembridge
Burnham	Edwards (Lowndes)	Moore	Teel
Camp	Goldthwaite	NeSmith	Turner (Limestone)
Carr	Heflin	Pennington	Wood
Casey	Hester	Pierce	

—30

MOTION IN WRITING

Mr. Perry offered the following Motion in Writing:

In accordance with and pursuant to Notice in Writing given on the last legislative day, I now move that the House direct its standing committee on Constitution and Elections to act on House Bill 280 and report same to the House at its next meeting.

REMARKS OF MR. BEVILL

Mr. Bevill requested that the Journal show that the Standing Committee on Constitution and Elections met on June 25, 1963, July 24, 1963 and July 26, 1963, and that no request was made by the sponsors, or any one else, to consider the bill, H. 280. He also requested that the Journal show that the committee will meet on Wednesday, July 31, 1963, at 2:00 o'clock P.M., and that the bill, H. 280, will be the first order of business in that it was Unfinished Business pending before the committee when the committee adjourned July 26, 1963.

Mr. Bevill further requested that the Journal show that notice of each of the heretofore mentioned public hearings was given in accordance with the standard procedure by placing the time and date of each committee meeting on the bulletin board in the House Chamber several days before each committee meeting; that all persons requesting consideration of their bills pending in the Standing Committee on Constitution and Elections have been given either an immediate hearing or a definite scheduled date for hearing.

MOTION IN WRITING BY MR. PERRY TABLED

On motion of Mr. Bevill the Motion in Writing offered by Mr. Perry was laid upon the table.

Yeas 60; Nays 22.

Yeas:

Mr. Speaker	Carr	Harper	Owens
Albea	Cates	Heflin	Paulk
Avery	Cook	Hester	Pierce
Baker (<i>DeKalb</i>)	Cooper	Holladay	Posey
Barnett	Cornett	Ingram	Powell
Bassett	Crawford	Jones (<i>Monroe</i>)	Salter
Bevill	Daniel	Little	Scurlock
Blanton	Davis	McCorquodale	Slate
Bolton	Doggett	Martin	Snell
Boston	Edwards (<i>Escambia</i>)	Mashburn	Steagall
Branyon	Edwards (<i>Lowndes</i>)	Meade	Teel
Burnham	Glass	Merrill	Turner (<i>Crenshaw</i>)
Burns	Grouby	Moore	Turner (<i>Limestone</i>)
Camp	Hain	Nabors	Turnham
Campbell (<i>Tuscaloosa</i>)	Hannah	Nettles	Young

—60

Nays:

Messrs.	Dominick	Goldthwaite	Perry
Bailes	Downing	Hogan	Rast
Bethea (M)	Edgington	McDermott	Rogers
Bowers	Etheredge	Meeks	Sessions
Brown (<i>Jefferson</i>)	Fields	Morrow	Vacca
Collins	Gilmore	Pennington	

—22

RESOLUTION

The following resolution was introduced:

By Mr. Turnham:

H. J. R. 100. WHEREAS the State of Alabama suffered a distinct loss on June 2, 1963 in the passing of Mr. J. C. Lowery, one of its most able farm leaders for more than thirty years; and

WHEREAS Mr. Lowery, through his educational efforts and far-seeing programs in all phases of agronomy gained wide acceptance among Alabama farmers of better production methods for corn, cotton, and pastures; thereby contributing heavily to Alabama's great progress with these crops as well as with the beef and dairy industries; and

WHEREAS Mr. Lowery's outstanding contributions and influence on Alabama agriculture as an agronomist of the Cooperative Extension Service, Auburn University were recognized throughout the state and nation as evidenced by his election to membership in the American Society of Agronomy and Soil, the Science Society of America, Alabama Soil Fertility Society, National Agricultural Historical Society and Gamma Sigma Delta, national honor society of agriculture; and

WHEREAS Mr. Lowery was a devoted church man and a fine christian gentleman whose advice and wise counsel was eagerly sought by all those with whom he came in contact; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That this body expresses its appreciation for the life and service of Mr. Lowery and is saddened by the death of this fine man.

BE IT FURTHER RESOLVED That deepest regret and sincere sympathy be extended to the surviving members of Mr. Lowery's family to whom copies of this resolution shall be sent.

On motion of Mr. Turnham the rules were suspended and H.J.R. 100 was adopted.

BILLS ON THIRD READING

H. 713. Relating to Chambers County; providing for the relief of Tommie Lee Culbertson and appropriating county funds for such purpose.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Albea	Cornett	Harper	Pennington
Bailes	Crawford	Hawkins	Perry
Barnett	Daniel	Heflin	Pierce
Bassett	Davis	Hester	Paulk
Bolton	Doggett	Ingram	Powell
Boston	Downing	Jones (Covington)	Rast
Bowers	Edington	Jones (Monroe)	Rogers
Brown (Jefferson)	Edwards (Escambia)	Locke	Salter
Burnham	Edwards (Lowndes)	McCorquodale	Slate
Burns	Engel	Martin	Snell
Camp	Etheredge	Mashburn	Steagall
Campbell (Tuscaloosa)	Fields	Meade	Sullivan
Casey	Glass	Merrill	Teel
Cates	Goodwyn	Moore	Turner (Limestone)
Collins	Grouby	Morrow	Turnham
Cook	Hain	Nabors	Wood

—68

And the bill:

H. 714. To fix the compensation of the members of the county board of education of Chambers County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Edwards (Escambia)	Heflin
Albea	Casey	Edwards (Lowndes)	Hester
Bailes	Cates	Engel	Hogan
Barnett	Collins	Etheredge	Ingram
Bassett	Cooper	Fields	Jones (Covington)
Bolton	Cornett	Glass	Jones (Monroe)
Boston	Crawford	Goodwyn	Little
Bowers	Daniel	Grouby	Locke
Brown (Jefferson)	Davis	Hain	McCorquodale
Burnham	Doggett	Hannah	McDermott
Burns	Downing	Harper	Martin
Camp	Drake	Hawkins	Mashburn

Meade	Paulk	Rast	Sullivan
Merrill	Pennington	Rogers	Teel
Moore	Perry	Slate	Turner (Limestone)
Morrow	Pierce	Snell	Wood
Nabors	Powell	Steagall	Young
Nettles			

—69

H. 858 INDEFINITELY POSTPONED

On motion of Mr. Nettles, the bill, H. 858, was indefinitely postponed.

H. 816 INDEFINITELY POSTPONED

On motion of Mr. McDermott, the bill, H. 816, was indefinitely postponed.

And the bill:

H. 721. Relating to counties having populations of less than 13,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

Was taken up.

Mr. Ingram offered the following substitute for the bill, H. 721:

Substitute for H. 721

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 11,000 nor more than 13,000 inhabitants; to fix the expense allowance of the county superintendent of education of such counties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This Act shall apply only in counties having populations of not less than 11,000 nor more than 13,000 inhabitants according to the 1960 or any subsequent decennial census of the United States.

Section 2. The county superintendent of education of such counties shall receive an annual expense allowance of twelve hundred dollars (\$1200) per annum to be paid in equal monthly installments out of the funds from which his expense allowance is presently paid. Such expense allowance shall be in lieu of any other allowance heretofore provided the county superintendent of education for expenses.

Section 3. This Act shall take effect on the first of the month next following the date of enactment.

And the substitute was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Albea	Cornett	Harper	Perry
Bailes	Daniel	Hawkins	Pierce
Baker (DeKalb)	Davis	Heflin	Powell
Bassett	Doggett	Hester	Rast
Bethea (M)	Downing	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Salter
Bolton	Edwards (Escambia)	Jones (Monroe)	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Branyon	Etheredge	Meade	Smith
Brown (Jefferson)	Fields	Merrill	Snell
Burnham	Gilmore	Moore	Steagall
Burns	Glass	Nabors	Sullivan
Camp	Goldthwaite	NeSmith	Teel
Casey	Goodwyn	Nettles	Thomas
Cates	Grouby	Owens	Turner (Limestone)
Collins	Hain	Paulk	Wood

—72

And said bill, H. 721, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Albea	Cornett	Harper	Paulk
Avery	Crawford	Hawkins	Pennington
Bailes	Daniel	Heflin	Perry
Baker (DeKalb)	Davis	Hester	Pierce
Bassett	Doggett	Holladay	Powell
Bethea (M)	Downing	Ingram	Rast
Blanton	Drake	Jones (Covington)	Rogers
Bolton	Edington	Jones (Monroe)	Salter
Boston	Edwards (Escambia)	Locke	Scurlock
Bowers	Edwards (Lowndes)	Martin	Smith
Branyon	Engel	Mashburn	Snell
Brown (Jefferson)	Etheredge	Meade	Steagall
Burnham	Fields	Merrill	Stembridge
Burns	Gilmore	Moore	Sullivan
Camp	Glass	Nabors	Teel
Cates	Goodwyn	NeSmith	Turner (Crenshaw)
Casey	Grouby	Nettles	Wood
Collins	Hain		

—74

And the bill:

H. 722. Providing a more efficient system for the administration of the fiscal affairs and government of Clay County; abolishing the Court of County Commissioners of Clay County and creating and establishing in lieu thereof the Board of Commissioners of Clay County; providing for the organization, powers, jurisdiction, and duties of the Board of Commissioners, and for the qualifications, election, and compensation of its members; and further regulating the county's purchasing procedures and highway operations.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hannah	Pennington
Albea	Crawford	Harper	Perry
Avery	Daniel	Hawkins	Pierce
Bailes	Davis	Heflin	Powell
Bassett	Doggett	Hester	Rast
Bethea (M)	Downing	Ingram	Rogers
Blanton	Edington	Jones (Covington)	Salter
Boston	Edwards (Escambia)	Jones (Monroe)	Scurlock
Bowers	Edwards (Lowndes)	Locke	Sessions
Branyon	Engel	Meade	Slate
Brown (Jefferson)	Etheredge	Meeks	Smith
Burnham	Faulk	Merrill	Snell
Burns	Fields	Moore	Steagall
Camp	Gilmore	Morrow	Stembridge
Casey	Glass	Nabors	Sullivan
Cates	Goodwyn	Nettles	Teel
Collins	Grouby	Owens	Wood
Cooper	Hain	Paulk	

—71

And the bill:

H. 723. To regulate further teacher tenure and status in the public schools of Clay County, granting the county board of education plenary and exclusive power relative to teacher tenure and status in the County, and repealing as to Clay County inconsistent provisions of Code 1940, Title 52, Chapter 13, as amended or supplemented.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hawkins	Perry
Albea	Cornett	Heflin	Pierce
Avery	Crawford	Hester	Powell
Bailes	Daniel	Ingram	Rast
Bassett	Davis	Jones (Covington)	Rogers
Bethea (M)	Doggett	Jones (Monroe)	Salter
Boston	Downing	Locke	Scurlock
Bowers	Edington	Meade	Sessions
Branyon	Edwards (Escambia)	Meeks	Slate
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Smith
Burnham	Engel	Moore	Snell
Burns	Etheredge	Morrow	Steagall
Camp	Gilmore	Nabors	Sullivan
Campbell (Tuscaloosa)	Glass	Nettles	Teel
Casey	Goodwyn	Owens	Turner (Crenshaw)
Cates	Grouby	Paulk	Wood
Collins	Harper	Pennington	Young

—68

And the bill:

H. 854. To authorize the court of county commissioners, board of revenue, or like governing body of certain counties classified on a population basis to prescribe the times when county offices may be closed.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cooper	Harper	Paulk
Albea	Cornett	Hawkins	Pennington
Avery	Crawford	Heflin	Perry
Bailes	Daniel	Hester	Pierce
Bassett	Davis	Ingram	Powell
Bethea (M)	Doggett	Jones (Covington)	Rast
Blanton	Downing	Jones (Monroe)	Rogers
Boston	Edington	Little	Salter
Bowers	Edwards (Escambia)	Locke	Scurlock
Branyon	Edwards (Lowndes)	Meade	Sessions
Brown (Jefferson)	Engel	Meeks	Slate
Brown (Tuscaloosa)	Etheredge	Merrill	Smith
Burnham	Faulk	Moore	Snell
Burns	Gilmore	Morrow	Steagall
Camp	Glass	Nabors	Sullivan
Campbell (Tuscaloosa)	Goodwyn	NeSmith	Teel
Casey	Grouby	Nettles	Turner (Crenshaw)
Cates	Hain	Owens	Young
Collins	Hannah		

—74

And the bill:

H. 862. Relating to elections in counties having populations of not less than 10,800 nor more than 12,000, authorizing and providing for a recount of the vote in certain ballot boxes on order of the circuit judge of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Daniel	Heflin	Pennington
Albea	Davis	Hester	Perry
Bailes	Doggett	Ingram	Pierce
Bassett	Downing	Jones (Covington)	Powell
Bethea (M)	Edington	Jones (Monroe)	Rast
Blanton	Edwards (Escambia)	Locke	Rogers
Boston	Edwards (Lowndes)	Martin	Scurlock
Bowers	Engel	Meade	Sessions
Branyon	Faulk	Meeks	Smith
Brown (Jefferson)	Gilmore	Merrill	Snell
Burnham	Glass	Moore	Steagall
Burns	Goodwyn	Morrow	Stembridge
Casey	Grouby	Nabors	Sullivan
Cates	Hain	NeSmith	Teel
Cooper	Hannah	Nettles	Wood
Cornett	Harper	Owens	Young
Crawford	Hawkins	Paulk	

—67

And the bill:

H. 864. To provide for and require the use of voting machines for registering, recording, and computing the votes at all elections hereafter held in Escambia County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Nettles
Albea	Cooper	Harper	Owens
Bailes	Crawford	Hawkins	Paulk
Barnett	Daniel	Heflin	Pennington
Bassett	Davis	Hester	Perry
Bethea (M)	Doggett	Hogan	Powell
Blanton	Downing	Ingram	Rogers
Boston	Edington	Jones (Covington)	Salter
Bowers	Edwards (Escambia)	Jones (Monroe)	Scurlock
Branyon	Edwards (Lowndes)	Little	Sessions
Brown (Jefferson)	Engel	Meade	Smith
Brown (Tuscaloosa)	Faulk	Meeks	Snell
Burnham	Gilmore	Merrill	Stembridge
Burns	Glass	Moore	Sullivan
Camp	Goodwyn	Morrow	Teel
Casey	Grouby	Nabors	Turner (Crenshaw)
Cates	Hain	NeSmith	Wood

—68

And the bill:

H. 865. To amend Act No. 119, H. 393, Regular Session 1959 (Acts 1959, v. 1, p. 641), in relation to the qualifications of the superintendent of education of Escambia County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hawkins	Paulk
Albea	Daniel	Heflin	Pennington
Bailes	Davis	Hester	Perry
Baker (DeKalb)	Doggett	Hogan	Powell
Barnett	Downing	Ingram	Rast
Bassett	Edington	Jones (Covington)	Rogers
Bethea (M)	Edwards (Escambia)	Jones (Monroe)	Salter
Blanton	Edwards (Lowndes)	Locke	Scurlock
Boston	Engel	Meade	Sessions
Bowers	Faulk	Meeks	Smith
Branyon	Gilmore	Merrill	Snell
Brown (Jefferson)	Glass	Moore	Stembridge
Burnham	Goodwyn	Morrow	Sullivan
Burns	Grouby	Nabors	Teel
Camp	Hain	NeSmith	Turner (Crenshaw)
Casey	Hannah	Nettles	Vacca
Collins	Harper	Owens	Wood
Cooper			

—69

And the bill:

H. 866. Relating to counties having populations of not less than 50,000 nor more than 54,000; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials; to prescribe the duties of the custodian of voting machines and the executive assistant or chief clerk of the sheriff in such elections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Pennington
Albea	Cooper	Heflin	Perry
Bailes	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Posey
Barnett	Davis	Ingram	Powell
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (M)	Downing	Jones (Monroe)	Salter
Blanton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	Martin	Sessions
Bowers	Edwards (Lowndes)	Meade	Smith
Branyon	Engel	Meeks	Snell
Brown (Jefferson)	Faulk	Merrill	Steagall
Burnham	Gilmore	Moore	Stembridge
Burns	Glass	Morrow	Sullivan
Camp	Goodwyn	Nabors	Teel
Carr	Grouby	NeSmith	Turner (Crenshaw)
Casey	Hain	Nettles	Turnham
Cates	Hannah	Owens	Vacca
Collins	Harper	Faulk	Wood

—76

And the bill:

H. 873. Relating to counties having populations of not less than 57,000 nor more than 61,000; providing for payment of special supplementary allowances for probation officers of the juvenile courts of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Pennington
Albea	Cornett	Hester	Perry
Bailes	Crawford	Hogan	Pierce
Baker (DeKalb)	Daniel	Ingram	Posey
Barnett	Davis	Jones (Covington)	Powell
Bassett	Doggett	Jones (Monroe)	Rogers
Bethea (M)	Downing	Locke	Salter
Blanton	Edington	Martin	Scurlock
Boston	Edwards (Escambia)	Mashburn	Sessions
Bowers	Edwards (Lowndes)	Meade	Smith
Branyon	Engel	Meeks	Snell
Brown (Jefferson)	Faulk	Merrill	Steagall
Burnham	Gilmore	Moore	Stembridge
Burns	Glass	Morrow	Sullivan
Camp	Goodwyn	Nabors	Teel
Cantrell	Grouby	NeSmith	Turner (Crenshaw)
Carr	Hain	Nettles	Turner (Limestone)
Casey	Hannah	Owens	Vacca
Cates	Harper	Paulk	Wood
Collins	Hawkins		

—78

And the bill:

S. 243. (With Amendment). Relating to Walker County; providing for and establishing a central purchasing system for the county, and for all officers, offices, departments, and instrumentalities of the county, including public hospitals but excluding the county board of education.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amendment to S.B. 243

In Section 2, strike out the words and figures "two hundred fifty dollars (\$250)" wherever they appear therein and insert "five hundred dollars (\$500)"

Also in Section 2, 4th paragraph, strike out the words and figures "ten dollars (\$10)" and insert "fifty dollars (\$50)"

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Cornett	Gilmore
Albea	Burnham	Crawford	Glass
Eailes	Burns	Daniel	Goodwyn
Baker (DeKalb)	Camp	Davis	Grouby
Barnett	Cantrell	Doggett	Hain
Bassett	Carr	Downing	Hannah
Bethea (M)	Casey	Edington	Harper
Blanton	Cates	Edwards (Escambia)	Hawkins
Boston	Collins	Edwards (Lowndes)	Heflin
Bowers	Cook	Engel	Hester
Branyon	Cooper	Faulk	Hogan

Ingram	Moore	Pierce	Steagall
Jones (Covington)	Morrow	Posey	Stembridge
Jones (Monroe)	Nabors	Powell	Sullivan
Locke	NeSmith	Rogers	Teel
Martin	Nettles	Salter	Turner (Crenshaw)
Mashburn	Owens	Scurlock	Turner (Limestone)
Meade	Paulk	Sessions	Turnham
Meeks	Pennington	Smith	Vacca
Merrill	Perry	Snell	Wood

—80

And said bill, S. 243, as thus amended, was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Heflin	Pennington
Albea	Cooper	Hester	Perry
Bailes	Crawford	Hogan	Pierce
Baker (DeKalb)	Daniel	Holladay	Posey
Barnett	Davis	Ingram	Powell
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (M)	Downing	Jones (Monroe)	Salter
Blanton	Edington	Locke	Scurlock
Boston	Edwards (Escambia)	Martin	Sessions
Bowers	Edwards (Lowndes)	Mashburn	Smith
Branyon	Engel	Meade	Snell
Brown (Jefferson)	Faulk	Meeks	Steagall
Brown (Tuscaloosa)	Gilmore	Merrill	Stembridge
Burnham	Glass	Moore	Sullivan
Burns	Goodwyn	Morrow	Teel
Camp	Grouby	Nabors	Turner (Crenshaw)
Cantrell	Hain	NeSmith	Turner (Limestone)
Carr	Hannah	Nettles	Turnham
Casey	Harper	Owens	Vacca
Collins	Hawkins	Paulk	Wood

—80

And the bill:

H. 868. To provide in all counties having a population in excess of 600,000 according to the last or any subsequent Federal decennial census, that all officers, authorities, agencies, boards, bureaus or other like entities which receive appropriations from the state, county or municipal governments shall have an annual audit.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Boston	Cantrell	Daniel
Albea	Bowers	Carr	Davis
Bailes	Branyon	Casey	Doggett
Baker (DeKalb)	Brown (Jefferson)	Cates	Downing
Barnett	Brown (Tuscaloosa)	Collins	Drake
Bassett	Burnham	Cook	Edington
Bethea (M)	Burns	Cornett	Edwards (Escambia)
Blanton	Camp	Crawford	Edwards (Lowndes)

Engel	Holladay	NeSmith	Scurlock
Fields	Ingram	Nettles	Sessions
Gilmore	Jones (Covington)	Owens	Smith
Glass	Jones (Monroe)	Paulk	Snell
Goodwyn	Locke	Pennington	Steagall
Grouby	McDermott	Perry	Stembridge
Hain	Martin	Pierce	Sullivan
Hannah	Mashburn	Posey	Teel
Harper	Meade	Powell	Turner (Limestone)
Hawkins	Meeks	Rast	Turnham
Heflin	Merrill	Rogers	Vacca
Hester	Morrow	Salter	Wood
Hogan	Nabors		

—82

And the bill:

H. 872. To amend Section 1 of Act No. 164, H. 493, Regular Session 1959 (Acts 1959, p. 688), entitled "An Act to authorize and direct the Board of Revenue and Road Commissioners of Mobile County to make available to the sheriff of the county an annual allowance for the purchase of uniforms for deputies sheriff; and to regulate expenditures from such allowance."

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Crawford	Heflin	Paulk
Albea	Daniel	Hester	Pennington
Bailes	Davis	Hogan	Perry
Baker (DeKalb)	Doggett	Holladay	Pierce
Barnett	Downing	Ingram	Posey
Bassett	Drake	Jones (Covington)	Powell
Bethea (M)	Edington	Jones (Monroe)	Rast
Blanton	Edwards (Escambia)	Little	Rogers
Boston	Edwards (Lowndes)	Locke	Salter
Bowers	Engel	McDermott	Scurlock
Branyon	Etheredge	Martin	Sessions
Brown (Jefferson)	Fields	Mashburn	Smith
Burnham	Gilmore	Meade	Snell
Burns	Glass	Meeks	Steagall
Camp	Goodwyn	Merrill	Stembridge
Cantrell	Grouby	Moore	Sullivan
Casey	Hain	Morrow	Teel
Cates	Hannah	Nabors	Turner (Limestone)
Collins	Harper	NeSmith	Turnham
Cook	Hawkins	Nettles	Wood
Cornett			

—81

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 673, was adopted.

PASSAGE OF H. 673

And the bill:

H. 673. (With Substitute). Relating to the public revenue; further defining the terms "wholesale sale" or "sale at wholesale" used in administering the state sales and use tax statutes; repealing Section 481 of Title 51.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR H.B. 673

A BILL
TO BE ENTITLED
AN ACT

Relating to the public revenue; further defining the terms "wholesale sale" or "sale at wholesale" used in administering the state sales and use tax statutes; repealing Section 481 of Title 51, Code of Alabama, 1940, as amended by Act No. 339, H. 440, approved July 1, 1943, General Acts of Alabama, 1943, pp. 319-20.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. For the purpose of administering the state sales and use tax laws, the terms "wholesale" or "sale at wholesale" shall include a sale to a manufacturer or compounder, of crowns, caps, and tops intended for onetime use employed and used upon the containers in which he markets his products; but such terms do not include a sale of re-usable containers which in the usual and ordinary course and manner of doing business are repurchased or otherwise recovered for re-use.

Section 2. Nothing herein contained shall be construed to amend or repeal Act No. 162 (H. 163) of the 1962 Special Session of the Legislature of Alabama which Act is hereby expressly reenacted.

Section 3. Code of Alabama, 1940, Title 51, Section 481 as amended by Act No. 339, H. 440, approved July 1, 1943, General Acts of Alabama, 1943, pp. 319-20 be and the same is hereby expressly repealed as of October 1, 1966.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker
Albea
Bailes

Barnett
Bassett
Betheta (M)

Blanton
Boston
Bowers

Brown (Jefferson)
Brown (Tuscaloosa)
Burns

Campbell (Tuscaloosa)	Gilmore	Martin	Rast
Cantrell	Glass	Mashburn	Rogers
Carr	Goldthwaite	Meade	Salter
Casey	Goodwyn	Meeks	Sessions
Collins	Hain	Merrill	Slate
Cook	Hannah	Moore	Smith
Cooper	Harper	Morrow	Snell
Crawford	Heflin	Nabors	Steagall
Daniel	Hester	NeSmith	Stembridge
Doggett	Hogan	Nettles	Sullivan
Downing	Holladay	Paulk	Teel
Drake	Ingram	Pennington	Thomas
Edwards (Escambia)	Jones (Covington)	Perry	Turner (Limestone)
Edwards (Lowndes)	Jones (Monroe)	Pierce	Turnham
Engel	Locke	Posey	Vacca
Fields	McDermott	Powell	Wood

—76

And said bill, H. 673, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 3.

Yeas:

Mr. Speaker	Daniel	Ingram	Powell
Albea	Doggett	Jones (Monroe)	Rogers
Baker (DeKalb)	Downing	Locke	Salter
Barnett	Drake	McDermott	Sessions
Bassett	Edwards (Escambia)	Martin	Slate
Bethea (B)	Engel	Mashburn	Smith
Bevill	Fields	Meade	Snell
Blanton	Gilmore	Meeks	Steagall
Bolton	Glass	Merrill	Stembridge
Boston	Goldthwaite	Moore	Sullivan
Bowers	Grouby	Morrow	Teel
Brown (Jefferson)	Hain	Nabors	Thomas
Brown (Tuscaloosa)	Hannah	NeSmith	Turner (Crenshaw)
Burns	Harper	Nettles	Turner (Limestone)
Callahan	Hawkins	Owens	Turnham
Campbell (Tuscaloosa)	Heflin	Paulk	Vacca
Cantrell	Hester	Pennington	Wood
Casey	Hogan	Pierce	Young
Crawford	Holladay	Posey	

—75

Nays:

Messrs.	Bailes	Perry	Scurlock
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 21, was adopted.

PASSAGE OF H. 21

And the bill:

H. 21. (With Amendment). To prescribe the allowance for depletion

of iron ore mines for state income tax purposes; repealing conflicting laws.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H. B. 21

In the caption, after the words "iron ore mines" insert the words "and coal mines"

Also, in Section 1, strike out the first sentence thereof and insert the following: For purposes of computing income tax the allowance for depletion in the case of iron ore mines shall be fifteen percent (15%) and in the case of coal mines ten percent (10%) of the gross income from the property during the taxable year, excluding from gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect to the property.

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hester	Perry
Albea	Daniel	Hogan	Pierce
Baker (DeKalb)	Davis	Holladay	Posey
Barnett	Doggett	Jones (Covington)	Powell
Bassett	Downing	Jones (Monroe)	Rast
Bethea (B)	Drake	Little	Rogers
Bethea (M)	Edwards (Escambia)	Locke	Salter
Bevill	Edwards (Lowndes)	McDermott	Scurlock
Bolton	Engel	Martin	Sessions
Boston	Faulk	Mashburn	Slate
Bowers	Fields	Meade	Smith
Brown (Jefferson)	Gilmore	Merrill	Snell
Brown (Tuscaloosa)	Glass	Moore	Sullivan
Burnham	Goldthwaite	Morrow	Teel
Callahan	Goodwyn	NeSmith	Turner (Crenshaw)
Campbell (Tuscaloosa)	Grouby	Nettles	Turner (Limestone)
Cantrell	Hain	Owens	Turnham
Carr	Harper	Paulk	Vacca
Casey	Hawkins	Pennington	Young
Cornett	Heflin		

—78

And said bill, H. 21, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Burns
Albea	Bethea (B)	Branyon	Callahan
Avery	Bethea (M)	Brown (Jefferson)	Camp
Bailes	Bevill	Brown (Tuscaloosa)	Campbell (Tuscaloosa)
Barnett	Boston	Burnham	Cantrell

Casey	Goodwyn	Meade	Scurlock
Cates	Grouby	Meeks	Sessions
Collins	Hain	Merrill	Slate
Crawford	Harper	Moore	Smith
Doggett	Hawkins	Morrow	Snell
Downing	Heflin	Nabors	Steagall
Drake	Hester	NeSmith	Stembridge
Edington	Hogan	Nettles	Sullivan
Edwards (Escambia)	Holladay	Owens	Teel
Edwards (Lowndes)	Ingram	Paulk	Thomas
Engel	Jones (Covington)	Pennington	Turner (Crenshaw)
Etheredge	Jones (Monroe)	Perry	Turner (Limestone)
Faulk	Little	Posey	Turnham
Fields	Locke	Powell	Vacca
Gilmore	McDermott	Rast	Wood
Glass	Martin	Rogers	Young
Goldthwaite	Mashburn	Salter	

—87

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Turner (Crenshaw) to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 797, was adopted.

PASSAGE OF H. 797

And the bill:

H. 797. To further amend Section 2 of Act No. 100, Second Special Session 1959, so as to provide for payment of the tax on automotive vehicles, truck trailers, semi-trailers or house trailers, withdrawn from stock for use in the business of the tax payer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hester	Pierce
Albea	Crawford	Hogan	Posey
Avery	Daniel	Holladay	Powell
Bailes	Davis	Ingram	Rast
Barnett	Doggett	Jones (Covington)	Rogers
Bassett	Downing	Jones (Monroe)	Salter
Bethea (B)	Drake	Little	Scurlock
Bevill	Edington	Locke	Sessions
Blanton	Edwards (Escambia)	McCorquodale	Slate
Boston	Edwards (Lowndes)	McDermott	Smith
Bowers	Engel	Martin	Snell
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Brown (Tuscaloosa)	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Sullivan
Callahan	Gilmore	Merrill	Teel
Camp	Glass	Moore	Thomas
Campbell (Tuscaloosa)	Goodwyn	Morrow	Turner (Crenshaw)
Cantrell	Grouby	Nabors	Turner (Limestone)
Casey	Hain	Nettles	Turnham
Cates	Hannah	Owens	Vacca
Collins	Harper	Paulk	Wood
Cook	Hawkins	Pennington	Young
Cooper	Heflin	Perry	

—91

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Steagall to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 442, was adopted.

PASSAGE OF H. 442

And the bill:

H. 442. To dispense with a Jury verdict in all Criminal Cases where the defendant has been indicted by a Grand Jury and provide for the Court to fix the punishment in such cases where defendants, after having had the advice of counsel, plead guilty in open Court to the commission of an offense embraced in the Indictment.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 7.

Yeas:

Mr. Speaker	Cooper	Harper	Perry
Avery	Cornett	Hester	Pierce
Baker (DeKaib)	Crawford	Hogan	Posey
Barnett	Daniel	Holladay	Powell
Bassett	Davis	Ingram	Rogers
Bethea (B)	Doggett	Jones (Covington)	Scurlock
Bevill	Downing	Jones (Monroe)	Sessions
Blanton	Edington	Little	Slate
Boston	Edwards (Escambia)	Locke	Smith
Bowers	Edwards (Lowndes)	McDermott	Snell
Brown (Jefferson)	Engel	Martin	Stembridge
Burnham	Faulk	Mashburn	Sullivan
Burns	Fields	Meade	Teel
Callahan	Gilmore	Meeks	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Merrill	Turner (Limestone)
Carr	Goodwyn	Morrow	Turnham
Casey	Grouby	Nettles	Vacca
Cates	Hain	Owens	Wood
Collins	Hannah	Paulk	Young

—76

Nays:

Messrs.	Bailes	Heflin	Nabors
Albea	Drake	Moore	Pennington

—7

MOTION TO SUSPEND RULES LOST

The motion of Mr. Steagall to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 610, was lost.

Yeas 57; Nays 25.

Yeas:

Mr. Speaker	Crawford	Hogan	Posey
Albea	Daniel	McDermott	Rogers
Bailes	Davis	Martin	Sessions
Baker (DeKalb)	Downing	Mashburn	Slate
Bethea (B)	Drake	Meade	Smith
Blanton	Edington	Meeks	Steagall
Boston	Edwards (Escambia)	Merrill	Stembridge
Bowers	Engel	Morrow	Teel
Brown (Jefferson)	Etheredge	Nabors	Turner (Crenshaw)
Burnham	Faulk	Nettles	Turner (Limestone)
Callahan	Gilmore	Owens	Turnham
Camp	Goodwyn	Paulk	Vacca
Collins	Hain	Pennington	Wood
Cooper	Hawkins	Perry	Young
Cornett			

—57

Nays:

Messrs.	Carr	Grouby	Little
Avery	Casey	Heflin	NeSmith
Barnett	Cates	Hester	Pierce
Bassett	Doggett	Ingram	Powell
Branyon	Edwards (Lowndes)	Jones (Covington)	Scurlock
Brown (Tuscaloosa)	Glass	Jones (Monroe)	Snell
Campbell (Tuscaloosa)	Goldthwaite		

—25

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Steagall to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 738, was adopted.

PASSAGE OF H. 738

And the bill:

H. 738. Relating to the compensation of jurors; amending further Code of Alabama 1940, Title 11, Section 98.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 2.

Yeas:

Mr. Speaker	Boston	Cates	Edington
Aibea	Bowers	Collins	Edwards (Escambia)
Avery	Branyon	Cook	Edwards (Lowndes)
Bailes	Brown (Jefferson)	Cooper	Engel
Baker (DeKalb)	Brown (Tuscaloosa)	Cornett	Faulk
Barnett	Burnham	Crawford	Gilmore
Bassett	Burns	Daniel	Goldthwaite
Bethea (B)	Callahan	Davis	Goodwyn
Bethea (M)	Camp	Doggett	Grouby
Bevill	Campbell (Tuscaloosa)	Downing	Hain
Blanton	Casey	Drake	Heflin

Hester	Mashburn	Pennington	Snell
Hogan	Meade	Perry	Steagall
Holladay	Meeks	Pierce	Stembridge
Ingram	Merrill	Posey	Sullivan
Jones (Covington)	Moore	Powell	Teel
Jones (Monroe)	Morrow	Rast	Thomas
Little	Nabors	Salter	Turner (Crenshaw)
Locke	NeSmith	Scurlock	Turner (Limestone)
McCorquodale	Nettles	Sessions	Turnham
McDermott	Owens	Slate	Vacca
Martin	Paulk	Smith	Wood

—89

Nays:

Messrs. Glass Rogers

—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Meade to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 222, was adopted.

PASSAGE OF H. 222

And the bill:

H. 222. To provide for the registration and licensing as "antique vehicles" of certain motor vehicles; prescribing the fee therefor; providing for the collection and disbursement thereof; exempting vehicles licensed under this Act from other motor vehicle licenses; and placing certain duties relative to the registration and licensing of such vehicles on the State Department of Revenue and the Commissioner thereof and on the several sheriffs of the State.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Casey	Fields	Locke
Albee	Cates	Gilmore	McCorquodale
Baker (DeKalb)	Collins	Glass	McDermott
Barnett	Cook	Goldthwaite	Mashburn
Bassett	Cooper	Goodwyn	Meade
Bethea (B)	Cornett	Grouby	Meeks
Bevill	Crawford	Hain	Merrill
Blanton	Daniel	Hannah	Moore
Boston	Davis	Harper	Morrow
Bowers	Doggett	Hawkins	Nabors
Branyon	Downing	Heflin	NeSmith
Brown (Jefferson)	Drake	Hester	Nettles
Brown (Tuscaloosa)	Edington	Hogan	Owens
Burnham	Edwards (Escambia)	Holladay	Paulk
Burns	Edwards (Lowndes)	Ingram	Pennington
Callahan	Engel	Jones (Covington)	Perry
Campbell (Tuscaloosa)	Etheredge	Jones (Monroe)	Pierce
Carr	Faulk	Little	Posey

Powell	Slate	Sullivan	Turnham
Rast	Smith	Thomas	Vacca
Rogers	Snell	Turner (Crenshaw)	Wood
Salter	Steagall	Turner (Limestone)	Young
Sessions	Stembridge		

—90

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Meade to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 92, was adopted.

PASSAGE OF H. 92

And the bill:

H. 92. To define a normal work week for certain state employees, and to prescribe the maximum number of hours to be worked each day without overtime payment as herein authorized.

Was taken up.

Mr. Powell offered the following amendment to the bill, H. 92:

Amendment to H. B. 92

In Section 1, after the third sentence, insert the following: In no case shall an employee be required to work more than forty hours a week without overtime pay.

And the amendment was adopted.

Yeas 69; Nays 10.

Yeas:

Mr. Speaker	Cates	Hain	Perry
Albea	Cook	Hannah	Posey
Bailes	Cooper	Harper	Powell
Baker (DeKalb)	Cornett	Heflin	Rast
Bassett	Crawford	Hogan	Scurlock
Bethea (B)	Davis	Ingram	Sessions
Bevill	Downing	Jones (Covington)	Slate
Bolton	Drake	Little	Smith
Boston	Edwards (Escambia)	McCorquodale	Snell
Branyon	Edwards (Lowndes)	McDermott	Steagall
Brown (Jefferson)	Engel	Meade	Stembridge
Brown (Tuscaloosa)	Faulk	Merrill	Sullivan
Burns	Fields	Morrow	Teel
Callahan	Glass	Nabors	Turner (Limestone)
Camp	Goldthwaite	NeSmith	Turnham
Campbell (Tuscaloosa)	Goodwyn	Paulk	Vacca
Carr	Grouby	Pennington	Wood
Casey			

—69

Nays:

Messrs.	Burnham	Hawkins	Pierce
Barnett	Edington	Jones (Monroe)	Rogers
Bethea (M)	Gilmore	Nettles	

—10

On motion of Mr. Meade, the motion of Mr. Holladay to postpone further consideration of the bill, H. 92, as amended, until the twenty-seventh legislative day, was laid upon the table.

Yeas 53; Nays 30.

Yeas:

Mr. Speaker	Casey	Hannah	Scurlock
Bailes	Cates	Harper	Sessions
Baker (DeKalb)	Cooper	Heflin	Slate
Barnett	Davis	Hogan	Smith
Bassett	Downing	Ingram	Snell
Bevill	Drake	Jones (Covington)	Steagall
Blanton	Edwards (Escambia)	McCorquodale	Sullivan
Boston	Edwards (Lowndes)	Meade	Teel
Brown (Jefferson)	Engel	Nabors	Turner (Limestone)
Burns	Faulk	NeSmith	Turnham
Callahan	Glass	Owens	Vacca
Campbell (Tuscaloosa)	Goodwyn	Perry	Wood
Cantrell	Grouby	Powell	Young
Carr			

—53

Nays:

Messrs.	Camp	Hawkins	Paulk
Albea	Cornett	Hester	Pennington
Avery	Crawford	Holladay	Posey
Bethea (B)	Edington	Jones (Monroe)	Rast
Bethea (M)	Etheredge	McDermott	Rogers
Bolton	Gilmore	Mashburn	Salter
Branyon	Goldthwaite	Moore	Stembridge
Burnham	Hain	Morrow	

—30

And said bill, H. 92, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 12.

Yeas:

Mr. Speaker	Casey	Hannah	Owens
Albea	Cates	Harper	Perry
Bailes	Cooper	Heflin	Pierre
Baker (DeKalb)	Daniel	Hester	Powell
Bassett	Davis	Ingram	Salter
Bevill	Downing	Jones (Covington)	Scurlock
Blanton	Drake	Little	Slate
Bolton	Edwards (Escambia)	Locke	Smith
Boston	Edwards (Lowndes)	McCorquodale	Stembridge
Branyon	Engel	McDermott	Sullivan
Brown (Jefferson)	Faulk	Martin	Teel
Brown (Tuscaloosa)	Fields	Meade	Thomas
Burns	Glass	Meeks	Turner (Limestone)
Callahan	Goldthwaite	Merrill	Turnham
Camp	Goodwyn	Morrow	Vacca
Campbell (Tuscaloosa)	Grouby	Nabors	Wood
Cantrell	Hain	NeSmith	Young
Carr			

—69

Nays:

Messrs.	Crawford	Mashburn	Posey
Bethea (M)	Hawkins	Moore	Rast
Burnham	Jones (Monroe)	Pennington	Snell
Cornett			

—12

UNANIMOUS CONSENT GRANTED

Mr. Meade requested unanimous consent to add his name as a co-author of the bill, H. 92, and it was so granted.

Messrs. Meade, Scurlock and Pennington requested unanimous consent to add their names as co-authors of the bill, H. 738, and it was so granted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Branyon to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 315, was adopted.

PASSAGE OF H. 315

And the bill:

H. 315. To provide for deductions from penitentiary sentences for donating blood to recognized blood collection agencies.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 12.

Yeas:

Mr. Speaker	Cooper	Harper	Owens
Albea	Crawford	Heflin	Paulk
Baker (DeKalb)	Daniel	Hogan	Pennington
Barnett	Doggett	Ingram	Pierce
Bassett	Downing	Jones (Covington)	Posey
Bevill	Drake	Jones (Monroe)	Powell
Bolton	Edington	Little	Rogers
Boston	Edwards (Escambia)	Locke	Scurlock
Bowers	Edwards (Lowndes)	McCorquodale	Smith
Branyon	Engel	McDermott	Snell
Burnham	Faulk	Meade	Steagall
Burns	Fields	Meeks	Stembridge
Callahan	Glass	Merrill	Sullivan
Campbell (Tuscaloosa)	Goldthwaite	Moore	Thomas
Cantrell	Goodwyn	Nabors	Turner (Limestone)
Carr	Grouby	NeSmith	Turnham
Casey	Hannah	Nettles	Wood
Cates			

—69

Nays:

Messrs.	Brown (Jefferson)	Gilmore	Slate
Bethea (B)	Cornett	Perry	Teel
Bethea (M)	Etheredge	Sessions	Young
Blanton			

—12

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to take up for immediate consideration the third reading of the bill, S. 282, was adopted.

PASSAGE OF S. 282

And the bill:

S. 282. To propose an amendment to the Constitution of Alabama to authorize the State to become indebted and issue its general obligation bonds in a principal amount not exceeding \$10,000,000 for the purpose of financing the construction and equipment of works of internal improvement for use and operation as a part of the State Docks facilities and providing for the retirement of all or any part of the revenue bonds heretofore issued by Alabama State Docks Department.

Was taken up.

Mr. Engel offered the following amendment to the bill, S. 282:

AMENDMENT TO SENATE BILL 282

Senate Bill 282 is hereby amended by striking out the fourth sentence of the second full paragraph of the Proposed Amendment (which begins as follows: "When each series of bonds is issued, the maturities of the bonds of that series shall") and substitute for that sentence the following: "The largest installment of principal and interest maturing on each series of the bonds in any one year shall not exceed twice the preceding smallest installment of principal and interest maturing thereon in any prior year."

And the amendment was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Glass	McDermott
Albea	Casey	Grouby	Martin
Avery	Cates	Hain	Mashburn
Bailes	Cook	Hannah	Meade
Bassett	Crawford	Harper	Meeks
Bethea (B)	Daniel	Hawkins	Merrill
Bevill	Doggett	Heflin	Morrow
Blanton	Dominick	Hester	Nabors
Bolton	Downing	Hogan	NeSmith
Boston	Drake	Holladay	Nettles
Branyon	Edington	Ingram	Paulk
Brown (Jefferson)	Edwards (Escambia)	Jones (Covington)	Pennington
Brown (Tuscaloosa)	Edwards (Lowndes)	Jones (Monroe)	Perry
Burnham	Engel	Little	Pierce
Burns	Faulk	Locke	Posey
Callahan	Fields	McCorquodale	Powell

Rast	Slate	Sullivan	Turner (Limestone)
Rogers	Smith	Teel	Turnham
Scurlock	Steagall	Thomas	Wood
Sessions	Stembridge	Turner (Grenshaw)	Young

—80

And said bill, S. 282, as thus amended, was read a third time at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Perry
Albea	Cornett	Hester	Pierce
Avery	Crawford	Hogan	Posey
Bailes	Daniel	Holladay	Powell
Bassett	Doggett	Ingram	Rogers
Bethea (B)	Downing	Jones (Covington)	Salter
Bevill	Drake	Jones (Monroe)	Scurlock
Blanton	Edington	Little	Sessions
Bolton	Edwards (Escambia)	Locke	Smith
Boston	Edwards (Lowndes)	McCorquodale	Snell
Bowers	Engel	McDermott	Steagall
Branyon	Faulk	Martin	Stembridge
Brown (Jefferson)	Fields	Mashburn	Sullivan
Brown (Tuscaloosa)	Gilmore	Meade	Teel
Burnham	Glass	Meeks	Thomas
Burns	Goldthwaite	Merrill	Turner (Grenshaw)
Callahan	Goodwyn	Morrow	Turner (Limestone)
Camp	Grouby	Nabors	Turnham
Campbell (Tuscaloosa)	Hain	NeSmith	Vacca
Carr	Hannah	Nettles	Wood
Casey	Harper	Paulk	Young
Cates	Hawkins		

—86

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 390, was adopted.

PASSAGE OF H. 390

And the bill:

H. 390. To provide for advance payment of dues by State-chartered member credit unions to the State organization, Alabama Credit Union League, and the amortization over a period up to and including fifteen years of the credit extended to the member credit unions in the form of advance dues certificates issued by the Alabama Credit Union League.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Bailes	Bethea (M)	Bolton
Albea	Bassett	Bevill	Boston
Avery	Bethea (B)	Blanton	Bowers

Branyon	Drake	Jones (Covington)	Posey
Brown (Jefferson)	Edington	Jones (Monroe)	Powell
Brown (Tuscaloosa)	Edwards (Escambia)	Little	Rast
Burnham	Edwards (Lowndes)	Locke	Rogers
Burns	Engel	McCorquodale	Scurlock
Callahan	Etheredge	McDermott	Sessions
Camp	Fields	Mashburn	Slate
Campbell (Tuscaloosa)	Gilmore	Meade	Smith
Carr	Glass	Meeks	Snell
Casey	Goldthwaite	Merrill	Steagall
Cates	Goodwyn	Moore	Stembridge
Collins	Grouby	Morrow	Sullivan
Cook	Hain	Nabors	Teel
Cooper	Hannah	NeSmith	Thomas
Cornett	Harper	Nettles	Turner (Crenshaw)
Crawford	Hawkins	Owens	Turner (Limestone)
Daniel	Heflin	Paulk	Turnham
Doggett	Hester	Pennington	Vacca
Dominick	Hogan	Perry	Wood
Downing	Holladay	Pierce	Young

—92

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Engel to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 366, was adopted.

PASSAGE OF H. 366

And the bill:

H. 366. To amend further Section 144 of Title 45, Code of Alabama 1940, which provides the allowance for feeding prisoners.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 3.

Yeas:

Mr. Speaker	Cantrell	Glass	Merrill
Avery	Carr	Goldthwaite	Morrow
Bailes	Casey	Goodwyn	Nabors
Barnett	Cates	Grouby	NeSmith
Bassett	Collins	Hain	Nettles
Bethea (B)	Cook	Hannah	Owens
Bethea (M)	Cornett	Harper	Paulk
Bevill	Daniel	Heflin	Pennington
Blanton	Doggett	Hester	Perry
Bolton	Downing	Holladay	Posey
Boston	Drake	Ingram	Powell
Bowers	Edington	Jones (Monroe)	Rast
Branyon	Edwards (Escambia)	Little	Rogers
Brown (Jefferson)	Edwards (Lowndes)	Locke	Scurlock
Brown (Tuscaloosa)	Engel	McCorquodale	Sessions
Burnham	Etheredge	McDermott	Smith
Burns	Faulk	Martin	Snell
Callahan	Fields	Meade	Steagall
Camp	Gilmore	Meeks	Stembridge

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Sullivan	Turner (Crenshaw)	Turnham	Wood
Teel	Turner (Limestone)	Vacca	Young
Thomas			

—86

Nays:

Messrs.	Albea	Jones (Covington)	Slate
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Teel to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 223, was adopted.

PASSAGE OF H. 223

And the bill:

H. 223. To amend Section 91 of Title 34, Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 1.

Yeas:

Mr. Speaker	Cornett	Heflin	Perry
Albea	Crawford	Hester	Pierce
Bailes	Daniel	Hogan	Posey
Barnett	Doggett	Holladay	Powell
Bassett	Downing	Ingram	Rogers
Bevill	Drake	Jones (Covington)	Salter
Bolton	Edington	Little	Scurlock
Boston	Edwards (Escambia)	Locke	Sessions
Bowers	Edwards (Lowndes)	McDermott	Smith
Branyon	Engel	Martin	Snell
Brown (Jefferson)	Etheredge	Meade	Steagall
Burnham	Faulk	Meeks	Stembridge
Burns	Gilmore	Merrill	Sullivan
Camp	Glass	Moore	Teel
Cantrell	Goldthwaite	Nabors	Turner (Crenshaw)
Carr	Goodwyn	NeSmith	Turner (Limestone)
Casey	Grouby	Nettles	Turnham
Cates	Hain	Owens	Vacca
Collins	Hannah	Paulk	Wood
Cook	Harper	Pennington	Young
Cooper			

—81

Nay:

Mr. Callahan

—1

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Teel to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 458, was adopted.

PASSAGE OF H. 485

And the bill:

H. 458. Relating to motor vehicles; to provide for the use of two license tags or plates on each vehicle; amending Code of Alabama 1950, Title 36, Section 75, as amended, and Title 51, Section 705, as amended.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 70; Nays 12.

Yeas:

Mr. Speaker	Cooper	Harper	Owens
Albea	Cornett	Hawkins	Perry
Barnett	Crawford	Heflin	Pierce
Bethea (B)	Daniel	Hester	Posey
Bevill	Downing	Hogan	Powell
Blanton	Drake	Holladay	Rogers
Bolton	Edgington	Ingram	Scurlock
Boston	Edwards (Escambia)	Jones (Covington)	Sessions
Bowers	Edwards (Lowndes)	Little	Slate
Branyon	Engel	Locke	Smith
Brown (Jefferson)	Etheredge	McDermott	Steagall
Burnham	Faulk	Meade	Sullivan
Callahan	Fields	Meeks	Teel
Camp	Gilmore	Merrill	Thomas
Cantrell	Glass	Morrow	Turner (Crenshaw)
Casey	Goldthwaite	NeSmith	Wood
Collins	Goodwyn	Nettles	Young
Cook	Grouby		

—70

Nays:

Messrs.	Hain	Nabors	Snell
Bailes	Hannah	Paulk	Turner (Limestone)
Burns	Moore	Pennington	Turnham
Campbell (Tuscaloosa)			

—12

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hester to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 754, was adopted.

PASSAGE OF H. 754

And the bill:

H. 754. To provide for the administration of a scholarship fund at Northwest Alabama Junior College for certain graduates of Franklin County high schools.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker	Crawford	Heflin	Pierce
Bailes	Daniel	Hogan	Posey
Bassett	Davis	Jones (Covington)	Powell
Bethea (B)	Doggett	Little	Rogers
Bethea (M)	Dominick	Locke	Scurlock
Bevill	Downing	McCorquodale	Slate
Blanton	Drake	McDermott	Smith
Boston	Edington	Martin	Snell
Branyon	Edwards (Escambia)	Meade	Steagall
Brown (Jefferson)	Engel	Meeks	Stembridge
Brown (Tuscaloosa)	Faulk	Moore	Sullivan
Callahan	Fields	Nabors	Thomas
Cantrell	Gilmore	NeSmith	Turner (Crenshaw)
Cates	Goldthwaite	Nettles	Turner (Limestone)
Collins	Goodwyn	Owens	Turnham
Cook	Hain	Paulk	Vacca
Cooper	Hannah	Pennington	Wood
Cornett	Harper	Perry	Young

—72

Nays:

Messrs.	Albea	Burnham
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—2

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hester to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 753, was **adopted**.

PASSAGE OF H. 753

And the bill:

H. 753. To amend Act No. 888, H. 1113, Regular Session 1961 (Acts 1961, v. 2, p. 1397), an act providing for the establishment, maintenance, and operation of a junior college in Franklin, Marion, or Winston County, so as to authorize the board of trustees of the college to issue and sell interest bearing warrants or other like securities in anticipation of the allocation of special tax revenues.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Doggett	Glass
Albea	Callahan	Downing	Goldthwaite
Avery	Cantrell	Drake	Goodwyn
Bassett	Carr	Edington	Hain
Bethea (B)	Cates	Edwards (Escambia)	Hannah
Bethea (M)	Collins	Edwards (Lowndes)	Harper
Bevill	Cooper	Engel	Hawkins
Blanton	Crawford	Faulk	Heflin
Boston	Daniel	Fields	Hester
Brown (Jefferson)	Davis	Gilmore	Hogan

Jones (Covington)	Nabors	Scurlock	Thomas
McCorquodale	Nettles	Smith	Turner (Crenshaw)
McDermott	Owens	Snell	Turner (Limestone)
Martin	Pennington	Steagall	Turnham
Meade	Perry	Stembridge	Wood
Meeks	Posey	Sullivan	Young
Moore	Powell		

—66

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Hester to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 483, was adopted.

PASSAGE OF H. 483

And the bill:

H. 483. To amend Act No. 672, H. 479, Regular Session 1961, an act revising the privilege license schedule relating to the registration of trucks, truck-tractors, trailers, and semi-trailers operated for-hire.

Was taken up.

Mr. Hester offered the following amendment to the bill, H. 483:

Amendment to HB 483

In paragraph (b), in the 10th line, strike out the words "earth and earth products" and insert "coal, iron ore, limestone, bauxite, sand and gravel".

And the amendment was adopted.

Yeas 51; Nays 6.

Yeas:

Mr. Speaker	Crawford	Hester	Powell
Avery	Davis	Hogan	Rogers
Blanton	Edington	Little	Sessions
Bolton	Edwards (Escambia)	McDermott	Snell
Boston	Engel	Martin	Steagall
Brown (Jefferson)	Faulk	Meade	Sullivan
Brown (Tuscaloosa)	Gilmore	Meeks	Teel
Callahan	Glass	Moore	Thomas
Cantrell	Goldthwaite	Nabors	Turner (Crenshaw)
Carr	Grouby	Nettles	Turnham
Cates	Hain	Pennington	Wood
Cook	Harper	Perry	Young
Cooper	Heflin	Posey	

—51

Nays:

Messrs.	Burnham	Owens	Turner (Limestone)
Bailes	Edwards (Lowndes)	Siate	

—6

The motion of Mr. Hester to lay on the table the motion of Mr.

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Bolton to postpone further consideration of the bill, H. 483, as amended, until the next legislative day, was lost.

Yeas 27; Nays 56.

Yeas:

Mr. Speaker	Daniel	Hester	Posey
Bethea (B)	Davis	Hogan	Powell
Bevill	Doggett	McDermott	Salter
Boston	Engel	Martin	Scurlock
Brown (Tuscaloosa)	Faulk	Meade	Steagall
Callahan	Gilmore	Moore	Turner (Crenshaw)
Cantrell	Heflin	Nettles	

—27

Nays:

Messrs.	Collins	Goodwyn	Pierce
Albea	Cook	Grouby	Rogers
Avery	Cooper	Hain	Sessions
Bailes	Cornett	Hannah	Slate
Barnett	Crawford	Harper	Smith
Bassett	Dominick	Holladay	Snell
Bethea (M)	Downing	Little	Stembridge
Blanton	Drake	McCorquodale	Sullivan
Bolton	Edington	Mashburn	Teel
Brown (Jefferson)	Edwards (Escambia)	Meeks	Thomas
Burnham	Edwards (Lowndes)	Morrow	Turner (Limestone)
Camp	Etheredge	Owens	Turnham
Campbell (Tuscaloosa)	Glass	Pennington	Wood
Carr	Goldthwaite	Perry	Young
Cates			

—56

And the motion of Mr. Bolton to postpone further consideration of the bill, H. 483, as amended, until the next legislative day, was adopted.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 170, was adopted.

PASSAGE OF H. 170

And the bill:

H. 170. Relating to elections, providing for certain persons in federal service to vote absentee ballots.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 74; Nays 15.

Yeas:

Mr. Speaker	Barnett	Bevill	Boston
Avery	Bassett	Blanton	Bowers
Bailes	Bethea (M)	Bolton	Branyon

Brown (Jefferson)	Edwards (Lowndes)	Ingram	Salter
Camp	Engel	Locke	Scurlock
Campbell (Tuscaloosa)	Etheredge	McDermott	Sessions
Cantrell	Faulk	Martin	Smith
Casey	Fields	Meade	Steagall
Cates	Gilmore	Meeks	Stembridge
Collins	Glass	Morrow	Sullivan
Cook	Goldthwaite	Nabors	Teel
Cooper	Goodwyn	Nettles	Thomas
Daniel	Hain	Owens	Turner (Crenshaw)
Davis	Hannah	Paulk	Turner (Limestone)
Doggett	Harper	Perry	Turnham
Dominick	Hawkins	Pierce	Vacca
Downing	Heflin	Rast	Wood
Edington	Hogan	Rogers	Young
Edwards (Escambia)	Holladay		

—74

Nays:

Messrs.	Drake	Mashburn	Posey
Albea	Jones (Covington)	Merrill	Powell
Burnham	Little	Moore	Slate
Carr	McCorquodale	Pennington	Snell

—15

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 166, was adopted.

PASSAGE OF H. 166

And the bill:

H. 166. To amend further Code of Alabama 1940, Title 15, Section 72, which relates to the payment of expenses of bringing back absconding felons so as to authorize payment of actual cost of airplane transportation for such purpose.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 4.

Yeas:

Mr. Speaker	Burnham	Davis	Hannah
Albea	Callahan	Doggett	Harper
Bailes	Camp	Dominick	Hawkins
Barnett	Campbell (Tuscaloosa)	Drake	Heflin
Bassett	Cantrell	Edwards (Escambia)	Hogan
Bethea (M)	Carr	Edwards (Lowndes)	Holladay
Bevill	Casey	Engel	Ingram
Blanton	Cates	Etheredge	Little
Boston	Collins	Faulk	Locke
Bowers	Cooper	Gilmore	McCorquodale
Branyon	Cornett	Glass	McDermott
Brown (Jefferson)	Crawford	Goldthwaite	Mashburn
Brown (Tuscaloosa)	Daniel	Hain	Meade

Meeks	Paulk	Sessions	Thomas
Merrill	Perry	Smith	Turner (Crenshaw)
Moore	Posey	Snell	Turner (Limestone)
Morrow	Powell	Steagall	Turnham
Nabors	Rast	Stembridge	Vacca
Nettles	Rogers	Sullivan	Wood
Owens	Scurlock	Teel	Young

—80

Nays:

Messrs.	Jones (Covington)	Pennington	Slate
Edington			

—4

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to take up for immediate consideration the third reading of the bills, H. 795 and H. 796, was adopted.

PASSAGE OF H. 795

And the bill:

H. 795. To authorize the governing bodies of any two or more counties, or the governing bodies of any two or more municipalities within a single county, or the governing bodies of any two or more municipalities situated within different counties, or the governing bodies of any one or more counties and the governing bodies of any one or more municipalities situated in whole or in part in any one of said counties to establish regions for planning purposes and to appoint regional planning commissions.

Was taken up.

Mr. Morrow offered the following amendment to the bill, H. 795:

Amendment to H. B. 795

In Section 3, insert the following sentence after the second sentence which ends with the word "census":

However, any commission in which any county having a population in excess of 600,000 participates shall be constituted as follows: Each governmental unit shall have only one representative, except that any city having a population of more than 300,000 shall have ten representatives, and each county having a population of more than 600,000 shall also have ten representatives.

Also, in Section 4, add at the end thereof the following subsection:

(e) to adopt its own rules of procedure and order of business.

And the amendment was adopted.

Yeas 77; Nays 1.

Yeas:

Mr. Speaker	Avery	Barnett	Bethea (B)
Albea	Bailes	Bassett	Bethea (M)

Bevill	Edington	Hester	Pierce
Blanton	Edwards (Escambia)	Hogan	Posey
Boston	Edwards (Lowndes)	Holladay	Powell
Bowers	Engel	Ingram	Rast
Brown (Jefferson)	Etheredge	Jones (Covington)	Rogers
Burns	Faulk	Locke	Scurlock
Campbell (Tuscaloosa)	Fields	McDermott	Sessions
Cantrell	Gilmore	Mashburn	Slate
Carr	Glass	Meade	Smith
Casey	Goldthwaite	Meeks	Snell
Cates	Goodwyn	Moore	Steagall
Collins	Grouby	Morrow	Stembridge
Cooper	Hain	Nabors	Sullivan
Daniel	Hannah	Nettles	Turner (Crenshaw)
Doggett	Harper	Owens	Turner (Limestone)
Dominick	Hawkins	Paulk	Wood
Downing	Heflin	Perry	Young
Drake			

—77

Nay:

Mr. Burnham

—1

And said bill, H. 795, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 1.

Yeas:

Mr. Speaker	Cooper	Hannah	Owens
Avery	Cornett	Harper	Paulk
Bailes	Crawford	Hawkins	Perry
Barnett	Daniel	Heflin	Pierce
Bassett	Doggett	Hogan	Posey
Bethea (B)	Dominick	Holladay	Rast
Bevill	Downing	Ingram	Rogers
Blanton	Drake	Jones (Covington)	Scurlock
Boston	Edwards (Escambia)	Little	Sessions
Bowers	Edwards (Lowndes)	Locke	Smith
Brown (Jefferson)	Engel	McCorquodale	Snell
Burns	Etheredge	McDermott	Steagall
Cantrell	Faulk	Martin	Sullivan
Carr	Fields	Meade	Turner (Crenshaw)
Casey	Gilmore	Meeks	Turner (Limestone)
Cates	Glass	Morrow	Turnham
Collins	Goldthwaite	Nabors	Vacca
Cook	Hain	Nettles	Young

—72

Nay:

Mr. Burnham

—1

PASSAGE OF H. 796

And the bill:

H. 796. To authorize and empower all planning commissions, plan-

ning boards or other planning agencies within the State of Alabama, whether designated state, regional, joint, county, municipal or otherwise, to perform comprehensive planning and related activities, including transportation planning, for the respective geographical areas as to which planning power has heretofore been delegated to such commissions, boards, or other agencies by the Legislature of Alabama; to provide that, where now or hereafter authorized by compact or otherwise, such comprehensive planning may embrace areas where rapid urbanization has occurred or is expected to occur and which said areas extend into adjoining states; to authorize said commissions, boards and other agencies, upon request, to provide planning assistance to cities, other municipalities, groups of adjacent communities and regional planning agencies; and to authorize said commissions, boards and other agencies to contract for and to accept and utilize grants and other assistance for planning from any and all agencies which now or hereafter legally may contract as to and make grants or afford other assistance for comprehensive planning.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 3.

Yeas:

Mr. Speaker	Daniel	Heflin	Perry
Avery	Doggett	Hester	Pierce
Bailes	Dominick	Hogan	Posey
Barnett	Downing	Holladay	Powell
Bassett	Drake	Ingram	Rast
Bethea (B)	Edwards (Escambia)	Little	Rogers
Blanton	Edwards (Lowndes)	Locke	Scurlock
Boston	Engel	McCorquodale	Sessions
Bowers	Etheredge	McDermott	Smith
Brown (Jefferson)	Faulk	Martin	Snell
Burns	Fields	Mashburn	Steagall
Cantrell	Gilmore	Meade	Sullivan
Carr	Glass	Meeks	Teel
Casey	Goldthwaite	Moore	Turner (Crenshaw)
Cates	Hain	Nabors	Turner (Limestone)
Collins	Hannah	Nettles	Turnham
Cooper	Harper	Owens	Vacca
Crawford	Hawkins	Paulk	Young

—72

Nays:

Messrs.	Burnham	Callahan	Jones (Covington)
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—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Morrow to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 464, was adopted.

PASSAGE OF H. 464

And the bill:

H. 464. To amend Act No. 47, H. 92, Special Session 1961 (Acts

1961, v. 2, p. 1904), which grants certain exemptions from state, county, and municipal taxation.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Pennington
Albea	Crawford	Hester	Perry
Avery	Daniel	Hogan	Pierce
Bailes	Doggett	Holladay	Posey
Barnett	Downing	Ingram	Powell
Bassett	Drake	Jones (Covington)	Rast
Bethea (B)	Edington	Locke	Rogers
Bethea (M)	Edwards (Escambia)	McCorquodale	Salter
Bevill	Edwards (Lowndes)	McDermott	Scurlock
Blanton	Etheredge	Martin	Smith
Boston	Faulk	Mashburn	Snell
Bowers	Fields	Meade	Steagall
Brown (Jefferson)	Gilmore	Meeks	Sullivan
Brown (Tuscaloosa)	Glass	Merrill	Teel
Burns	Goldthwaite	Moore	Turner (Crenshaw)
Cantrell	Grouby	Morrow	Turner (Limestone)
Carr	Hain	Nabors	Vacca
Casey	Hannah	Nettles	Wood
Cates	Harper	Owens	Young
Collins	Hawkins	Paulk	

—79

ADJOURNMENT

On motion of Mr. Edwards (Escambia) the House adjourned until Tuesday, July 30, 1963, at twelve o'clock, noon.

Yeas 51; Nays 38.

Yeas:

Messrs.	Burnham	Grouby	Pennington
Albea	Camp	Hain	Pierce
Avery	Cantrell	Hannah	Posey
Barnett	Cook	Harper	Powell
Bassett	Cornett	Hawkins	Scurlock
Bethea (B)	Crawford	Heflin	Sessions
Bethea (M)	Doggett	Hester	Smith
Bevill	Drake	Holladay	Snell
Blanton	Edwards (Escambia)	Ingram	Steagall
Bolton	Edwards (Lowndes)	Little	Stembridge
Boston	Faulk	Locke	Teel
Brown (Jefferson)	Gilmore	Merrill	Vacca
Brown (Tuscaloosa)	Glass	Paulk	Wood

—51

Nays:

Mr. Speaker	Callahan	Collins	Downing
Bailes	Carr	Cooper	Edington
Bowers	Casey	Daniel	Engel
Burns	Cates	Dominick	Etheredge

Fields	Mashburn	Owens	Sullivan
Goldthwaite	Meeks	Perry	Turner (Crenshaw)
Hogan	Moore	Rast	Turner (Limestone)
Jones (Covington)	Morrow	Rogers	Turnham
McCorquodale	Nabors	Salter	Young
McDermott	Nettles		

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 TWENTY-SIXTH DAY

House of Representatives
 Montgomery, Alabama
 Tuesday, July 30, 1963

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. C. H. Hildreth, Pastor, Capitol Heights Methodist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Casey	Hain	Paulk
Albea	Cates	Hankins	Pennington
Avery	Collins	Hannah	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Cornett	Hester	Powell
Barnett	Crawford	Hogan	Pruitt
Bassett	Daniel	Holladay	Rast
Bethea (B)	Davis	Ingram	Reynolds
Bethea (M)	Doggett	Jones (Covington)	Rogers
Bevill	Dominick	Jones (Monroe)	Salter
Blanton	Downing	Little	Scurlock
Bolton	Drake	Locke	Sessions
Boston	Edington	McCorquodale	Slate
Bowers	Edwards (Escambia)	McDermott	Smith
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Mashburn	Stembridge
Brown (Tuscaloosa)	Etheredge	Meade	Sullivan
Burnham	Faulk	Meeks	Teel
Burns	Fields	Merrill	Thomas
Callahan	Fite	Moore	Turner (Crenshaw)
Camp	Gilmore	Morrow	Turner (Limestone)
Campbell (Jackson)	Glass	Nabors	Turnham
Campbell (Tuscaloosa)	Goldthwaite	NeSmith	Vacca
Cantrell	Goodwyn	Nettles	Wood
Carr	Grouby	Owens	Young

—104

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Powell leave of absence was granted to Mr. Harper because of a death in his family.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 86. Changing the date of the special election ordered to be held on Tuesday, August 13, 1963, to the first Tuesday after the expiration of three months from the final adjournment of present session of the Legislature.

MCDOWELL LEE.
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 95. Recognizing and honoring John Clifford Giles, a native son of Alabama as collaborator of "Horse Bend".

Also:

H. J. R. 98. Naming State Highway 159 "The Lewis Davis Highway."

Also:

H. J. R. 99. Extending sympathy to the family of Mr. Newman Franklin Nunnolley.

Also:

H. J. R. 96. Wishing speedy recovery to Honorable Joe S. Foster, Jr.

MCDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 86. Relative to redesignating the day for holding the election on the constitutional amendment proposed by Act No. 91.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON
ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 95. Relative to John Clifford Giles.

Also:

H. J. R. 96. Relative to the illness of the Honorable Joe S. Foster, Jr.

Also:

H. J. R. 98. Relative to designating the Lewis Davis Highway.

Also:

H. J. R. 99. Relative to expressing sympathy upon the death of Mr. Newman Franklin Nunneley, Superintendent of Schools in Talladega County.

And finds same correctly enrolled.

ALBERT P. BREWER,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

Mr. Brewer, Chairman of the Standing Committee on Rules, reported that said committee in session had acted on the following resolution and ordered same returned to the House with a favorable report.

By Rules Committee:

H. R. 101. BE IT RESOLVED BY THE HOUSE that the following business in the order named be made special, paramount and continuing order of business, at this time for the 26th Legislative day, taking precedence over any other business of the House on this day.

1. Report of standing committees.

2. All uncontested local bills on the calendar.

3. The following bills and resolution in order named:

H. B. 921 Page 52

H. B. 402 Page 20

H. B. 703 Page 52

H. B. 762 Page 55

H. J. R. 93 Page 68

H. B. 421 Page 13

H. B. 610 Page 40

H. B. 582 Page 31

H. B. 584 Page 31

H. B. 586 Page 31

H. B. 587 Page 31

H. B. 588 Page 32

H. B. 589 Page 32

H. B. 590 Page 32

H. B. 591 Page 32

H. B. 541 Page 38

H. B. 481 Page 29

H. B. 152 Page 12

H. B. 157 Page 28

H. B. 316 Page 8

H. B. 799 Page 51

H. B. 632 Page 26

H. B. 33 Page 27

H. B. 785 Page 40

H. B. 686 Page 47

H. B. 297 Page 18

H. B. 472 Page 23

H. B. 473 Page 24

H. B. 332 Page 36

H. B. 731 Page 41

H. B. 732	Page 41
H. B. 733	Page 41
H. B. 520	Page 22
H. B. 564	Page 25
H. B. 492	Page 22
H. B. 675	Page 38
H. B. 867	Page 50
H. B. 837	Page 46
H. B. 768	Page 49
H. B. 875	Page 51
H. B. 955	Page 59
H. B. 434	Page 60
H. B. 413	Page 17
H. B. 605	Page 47
H. B. 804	Page 41
H. B. 859	Page 51
H. B. 253	Page 2
H. B. 254	Page 3
H. B. 697	Page 29

4. The call of counties for introduction of bills and resolutions, provided however that Senate messages and reports of the Rules Committee may be received at any time.

Mr. Roberts offered the following amendment to the resolution, H. R. 101:

Amend H. R. 101 by moving H. J. R. 93 from its present position to the end of the Special Order Calendar.

On motion of Mr. Fite the amendment offered by Mr. Rogers was laid upon the table.

Yeas 56; Nays 37.

Yeas:

Mr. Speaker	Branyon	Crawford	Fite
Avery	Burns	Daniel	Goodwyn
Baker (DeKalb)	Campbell (Jackson)	Davis	Grouby
Baker (Madison)	Cantrell	Doggett	Hankins
Barnett	Casey	Drake	Heflin
Bevill	Cates	Edwards (Escambia)	Hester
Blanton	Cook	Edwards (Lowndes)	Ingram
Bolton	Cornett	Faulk	Jones (Covington)

Jones (Monroe)	Moore	Powell	Teel
Little	Nettles	Pruitt	Thomas
McCorquodale	Owens	Scurlock	Turner (Crenshaw)
Martin	Paulk	Slate	Turner (Limestone)
Meade	Pierce	Steagall	Turnham
Merrill	Posey	Sullivan	Wood

—56

Nays:

Messrs.	Carr	Goldthwaite	Nabors
Bailes	Collins	Hannah	Pennington
Bassett	Cooper	Hawkins	Perry
Bethea (B)	Dominick	Hogan	Rast
Bethea (M)	Downing	Locke	Rogers
Boston	Edington	McDermott	Salter
Bowers	Engel	Mashburn	Sessions
Brown (Jefferson)	Etheredge	Meeks	Vacca
Brown (Tuscaloosa)	Fields	Morrow	Young
Callahan	Gilmore		

—37

Mr. Callahan offered the following amendment to the resolution, H. R. 101:

Amend H. R. 101 by moving H.J.R. 93 from its present position to next to last place on the Special Order Calendar.

On motion of Mr. Nettles the amendment offered by Mr. Callahan was laid upon the table.

Yeas 60; Nays 32.

Yeas:

Mr. Speaker	Cates	Heflin	Powell
Avery	Cook	Hester	Pruitt
Baker (DeKalb)	Cooper	Ingram	Reynolds
Baker (Madison)	Cornett	Jones (Covington)	Salter
Barnett	Crawford	Jones (Monroe)	Scurlock
Bevill	Daniel	McCorquodale	Slate
Blanton	Davis	Martin	Steagall
Bolton	Doggett	Meade	Stembridge
Branyon	Drake	Merrill	Sullivan
Burns	Edwards (Escambia)	Moore	Teel
Camp	Edwards (Lowndes)	Nettles	Thomas
Campbell (Jackson)	Faulk	Owens	Turner (Crenshaw)
Cantrell	Fite	Paulk	Turner (Limestone)
Carr	Grouby	Pierce	Wood
Casey	Hankins	Posey	Young

—60

Nays:

Messrs.	Collins	Goldthwaite	Morrow
Bailes	Dominick	Hannah	Nabors
Bethea (B)	Downing	Hawkins	Pennington
Bethea (M)	Edington	Hogan	Perry
Boston	Engel	Locke	Rast
Bowers	Etheredge	McDermott	Rogers
Brown (Jefferson)	Fields	Mashburn	Sessions
Brown (Tuscaloosa)	Gilmore	Meeks	Vacca
Callahan			

—32

Mr. Rogers offered the following amendment to the resolution H.R. 101:

Amendment to Special Order H.R.101:

Amend the Special Order by moving H.J.R. 93 to the second from last place on the Special Order Calendar.

On motion of Mr. Drake the amendment offered by Mr. Rogers was laid upon the table.

Yeas 62; Nays 31.

Yeas:

Mr. Speaker	Cooper	Heflin	Powell
Baker (DeKalb)	Cornett	Hester	Pruitt
Baker (Madison)	Crawford	Ingram	Reynolds
Barnett	Daniel	Jones (Covington)	Scurlock
Bassett	Davis	Jones (Monroe)	Slate
Bevill	Doggett	McCorquodale	Steagall
Bolton	Drake	Martin	Stembridge
Boston	Edwards (Escambia)	Meade	Sullivan
Branyon	Edwards (Lowndes)	Merrill	Teel
Burns	Faulk	Moore	Thomas
Camp	Fite	NeSmith	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Turner (Limestone)
Cantrell	Goodwyn	Owens	Turnham
Carr	Grouby	Paulk	Wood
Casey	Hankins	Posey	Young
Cook	Hannah		

—62

Nays:

Messrs.	Collins	Hawkins	Nabors
Bailes	Dominick	Hogan	Pennington
Bethea (B)	Downing	Little	Perry
Bethea (M)	Engel	Locke	Pierce
Bowers	Etheredge	McDermott	Rast
Brown (Jefferson)	Fields	Mashburn	Rogers
Brown (Tuscaloosa)	Gilmore	Meeks	Sessions
Callahan	Goldthwaite	Morrow	Vacca

—31

Mr. Collins offered the following amendment to the resolution, H.R. 101:

Amendment to H. R. 101:

Amend H. R. 101 by moving H.J.R. 93 to the third from last position on the Special Order Calendar.

On motion of Mr. Nettles the amendment offered by Mr. Collins was laid upon the table.

Yeas 57; Nays 34.

Yeas:

Mr. Speaker	Baker (Madison)	Bevill	Boston
Baker (DeKalb)	Bassett	Bolton	Camp

Campbell (Jackson)	Fite	Martin	Salter
Cantrell	Glass	Meade	Scurlock
Casey	Goodwyn	Merrill	Slate
Cook	Grouby	Moore	Steagall
Cornett	Hankins	NeSmith	Stembridge
Crawford	Hannah	Nettles	Sullivan
Daniel	Heflin	Owens	Teel
Davis	Hester	Paulk	Thomas
Doggett	Ingram	Posey	Turner (Crenshaw)
Drake	Jones (Covington)	Powell	Turner (Limestone)
Edwards (Escambia)	Jones (Monroe)	Pruitt	Turnham
Edwards (Lowndes)	McCorquodale	Reynolds	Wood
Faulk			

—57

Nays:

Messrs.	Carr	Goldthwaite	Nabors
Bailes	Collins	Hawkins	Pennington
Bethea (B)	Dominick	Hogan	Perry
Bethea (M)	Downing	Little	Pierce
Bowers	Edington	Locke	Rast
Brown (Jefferson)	Engel	McDermott	Rogers
Brown (Tuscaloosa)	Etheredge	Mashburn	Sessions
Burns	Fields	Meeks	Vacca
Callahan	Gilmore	Morrow	

—34

Mr. Etheredge offered the following amendment to the resolution, H.R. 101:

Amendment to H. R. 101:

Amend H. R. 101 by moving H.J.R. 93 to the fourth from last position on the Special Order Calendar.

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Etheredge was laid upon the table.

Yeas 54; Nays 31.

Yeas:

Mr. Speaker	Cook	Grouby	Powell
Avery	Cooper	Hankins	Pruitt
Baker (Madison)	Cornett	Hannah	Reynolds
Barnett	Crawford	Heflin	Salter
Bassett	Daniel	Ingram	Scurlock
Bevill	Davis	McCorquodale	Slate
Bolton	Doggett	Martin	Steagall
Boston	Drake	Meade	Stembridge
Branyon	Edwards (Escambia)	Merrill	Sullivan
Camp	Edwards (Lowndes)	Moore	Teel
Campbell (Jackson)	Faulk	Nettles	Turner (Crenshaw)
Cantrell	Fite	Paulk	Turnham
Carr	Glass	Posey	Wood
Cates	Goodwyn		

—54

Nays:

Messrs.	Bethea (M)	Brown (Jefferson)	Burns
Bailes	Bowers	Brown (Tuscaloosa)	Callahan

Collins	Fields	Locke	Perry
Dominick	Gilmore	McDermott	Pierce
Downing	Hawkins	Mashburn	Rast
Edington	Hogan	Meeks	Rogers
Engel	Holladay	Morrow	Sessions
Etheredge	Little	Nabors	Vacca

—31

Mr. Turner (Crenshaw) offered the following amendment to the resolution, H.R. 101:

Amend H.R. 101 by placing H.J.R. 93 immediately after uncontested local bills and ahead of H.B. 921.

The motion of Mr. Bailes to lay on the table the amendment offered by Mr. Turner (Crenshaw) was lost.

Yeas 31; Nays 51.

Yeas:

Messrs.	Campbell (Tuscaloosa)	Fields	Morrow
Bailes	Collins	Gilmore	Nabors
Bethea (B)	Cornett	Hogan	Perry
Bethea (M)	Dominick	Jones (Covington)	Pierce
Brown (Jefferson)	Downing	Locke	Rast
Brown (Tuscaloosa)	Edington	McDermott	Rogers
Burns	Engel	Mashburn	Sessions
Callahan	Etheredge	Meeks	Vacca

—31

Nays:

Mr. Speaker	Cates	Hannah	Posey
Avery	Cooper	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Holladay	Scurlock
Bassett	Doggett	Ingram	Slate
Bevill	Drake	McCorquodale	Steagall
Bolton	Edwards (Escambia)	Martin	Stembridge
Boston	Faulk	Meade	Sullivan
Branyon	Fite	Merrill	Teel
Camp	Glass	Moore	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	NeSmith	Turnham
Cantrell	Grouby	Nettles	Wood
Carr	Hankins	Paulk	

—51

The question was then on the adoption of the amendment offered by Mr. Turner (Crenshaw) to the resolution, H.R. 101, and said amendment was adopted.

Yeas 58; Nays 27.

Yeas:

Mr. Speaker	Bolton	Carr	Daniel
Avery	Boston	Cates	Davis
Baker (Madison)	Branyon	Cook	Doggett
Barnett	Camp	Cooper	Drake
Bassett	Campbell (Jackson)	Cornett	Edwards (Escambia)
Bevill	Cantrell	Crawford	Edwards (Lowndes)

Faulk	Holladay	Paulk	Steagall
Fite	Ingram	Posey	Stembridge
Glass	McCorquodale	Powell	Sullivan
Goodwyn	Martin	Pruitt	Teel
Grouby	Meade	Reynolds	Turner (Crenshaw)
Hankins	Merrill	Salter	Turnham
Hannah	Moore	Scurlock	Vacca
Heflin	NeSmith	Slate	Wood
Hester	Nettles		

—58

Nays:

Messrs.	Campbell (Tuscaloosa)	Fields	Meeks
Bailes	Collins	Gilmore	Morrow
Bethea (B)	Domnick	Hogan	Perry
Bethea (M)	Downing	Little	Pierce
Brown (Jefferson)	Edington	Locke	Rast
Burns	Engel	McDermott	Rogers
Callahan	Etheredge	Mashburn	Sessions

—27

Mr. Bailes offered the following amendment to the resolution, H.R. 101, as amended:

Amendment to amend Special Order Calendar H.R. 101 to put as 1st order and priority of business the introduction of Bills and Resolutions by Call of the Counties.

On motion of Mr. Turner (Crenshaw) the amendment offered by Mr. Bailes was laid upon the table.

Yeas 59; Nays 30.

Yeas:

Mr. Speaker	Cornett	Hannah	Powell
Avery	Crawford	Heflin	Pruitt
Baker (DeKalb)	Daniel	Hester	Reynolds
Baker (Madison)	Davis	Holladay	Salter
Bassett	Doggett	Ingram	Scurlock
Bevill	Drake	Jones (Monroe)	Slate
Boston	Edwards (Escambia)	McCorquodale	Steagall
Branyon	Edwards (Lowndes)	McDermott	Stembridge
Camp	Engel	Martin	Sullivan
Campbell (Jackson)	Faulk	Meade	Teel
Cantrell	Fite	Merrill	Thomas
Carr	Glass	Moore	Turner (Crenshaw)
Cates	Goodwyn	Nettles	Turnham
Cook	Grouby	Paulk	Wood
Cooper	Hankins	Posey	

—59

Nays:

Messrs.	Callahan	Hawkins	Nabors
Bailes	Campbell (Tuscaloosa)	Hogan	Perry
Bethea (B)	Collins	Jones (Covington)	Pierce
Bethea (M)	Dominick	Little	Rast
Bowers	Downing	Locke	Rogers
Brown (Jefferson)	Etheredge	Mashburn	Sessions
Brown (Tuscaloosa)	Fields	Meeks	Vacca
Burns	Gilmore	Morrow	

—30

And the resolution, H.R. 101, as amended, was adopted.

Yeas 60; Nays 31.

Yeas:

Mr. Speaker	Cooper	Hannah	Posey
Avery	Cornett	Heflin	Powell
Baker (DeKalb)	Crawford	Hester	Pruitt
Baker (Madison)	Daniel	Holladay	Reynolds
Barnett	Davis	Ingram	Salter
Bassett	Doggett	Jones (Covington)	Scurlock
Bevill	Drake	Jones (Monroe)	Slate
Bolton	Edwards (Escambia)	McCorquodale	Steagall
Boston	Edwards (Lowndes)	Martin	Stembridge
Camp	Faulk	Meade	Sullivan
Campbell (Jackson)	Fite	Merrill	Teel
Cantrell	Glass	Moore	Thomas
Carr	Goodwyn	NeSmith	Turner (Crenshaw)
Cates	Grouby	Nettles	Turnham
Cook	Hankins	Paulk	Wood

—60

Nays:

Messrs.	Callahan	Fields	Meeks
Bailes	Campbell (Tuscaloosa)	Gilmore	Morrow
Bethea (B)	Collins	Hawkins	Nabors
Bethea (M)	Dominick	Hogan	Perry
Bowers	Downing	Little	Pierce
Brown (Jefferson)	Edington	Locke	Rast
Brown (Tuscaloosa)	Engel	McDermott	Rogers
Burns	Etheredge	Mashburn	Sessions

—31

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 51. (With Substitute). To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 52. To provide for cooperation by the State of Alabama, with other Southern States in nuclear development of the South, and making an appropriation for that purpose.

H. 53. To make an appropriation for the support of the Council of State Governments.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill

and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 54. (With Substitute). To make an appropriation for the support of the Southern Regional Council on Mental Health Training and Research.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 55. (With Amendment). To make an appropriation for each of the fiscal years ending September 30, 1964 and September 30, 1965 to the Armory Commission of Alabama to be used in providing necessary armory facilities for the Alabama National Guard, including the matching of federal funds made available for such purposes.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, with substitutes, and they were severally read a second time and placed on the Calendar, to-wit:

H. 56. (With Substitute). To make appropriations to the Department of Conservation for capital improvements.

H. 724. (With Substitute). Relating to taxation: To exempt wrapping and other packing materials from the State Sales and Use Tax when used in preparing poultry or poultry products for delivery shipment and sale.

Mr. Fite, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 778. To amend further Section 7, Title 60, Code of Alabama 1940, as amended, which relates to the widows of Confederate veterans who are entitled to pensions.

H. 969. To make an appropriation of funds to finance a poultry and egg research program and to prescribe a method to establish and carry out such a program.

H. 985. To make a conditional appropriation to the State Fair Authority to aid in the construction of a livestock exhibit building.

Mr. Hawkins, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 598. To amend Code of Alabama 1940, Title 51, Section 565, which relates to the license payable by osteopaths and chiropractors.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 912. To provide further for payment of compensation to county superintendents of education under certain conditions.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute and with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 267. (With Substitute) (With Amendment). Relating to the purchase of supplies, materials, equipment and contractual services, and the sale or exchange of property, by or for city or county boards of education; providing for competitive bidding on certain contracts, purchases, sales, and exchanges; prescribing penalties.

Mr. Grouby, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 917. To amend the Title and Sections 1 and 2 of Act No. 648, adopted at the Regular Session of the Legislature of Alabama (1949 Acts, p. 991 et seq.), as heretofore amended, so as to include research projects.

H. 918. To amend the title to and Sections 1 and 2 of Act No. 756, adopted at the 1951 Regular Session of the Legislature of Alabama so as to include the acquisition, enlargement, improvement and expansion of research projects.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 905. Relating to Jackson County; providing for establishment of branch banks or branch offices of banks in Scottsboro.

H. 957. To provide for the compensation of jurors in Autauga County.

H. 958. Relating to Autauga County; requiring the county to pay the premiums on the official bonds of all county officers who hold office by election.

H. 963. Relating to counties having populations of not less than 96,000 nor more than 106,000; providing expense allowances for certain county officers.

H. 970. Relating to counties having populations of not less than 110,000 nor more than 160,000; creating an educational survey committee to study, evaluate and make recommendations to the boards of education of such counties for improvements in the public school systems of the county; and making appropriations.

H. 971. Authorizing any municipality having a population of not less than seventy thousand nor more than one hundred thirty thousand according to the most recent federal decennial census to create a planning commission having certain powers, duties, and regulations.

H. 972. Relating to counties having populations of not less than 115,000 nor more than 160,000; further regulating the sale of alcoholic beverages in such counties and certain municipalities therein.

H. 977. To alter and rearrange the boundaries of the City of Decatur in Morgan County, so as to exclude certain territory from the corporate limits of the city.

H. 978. To alter, rearrange, and extend the boundaries of the City of Decatur in Morgan County.

H. 979. TO AMEND SECTION 7, AS HERETOFORE AMENDED, OF AN ACT ENTITLED "AN ACT to create the Municipal Utilities Board of Decatur; to provide for its membership; to appoint the members to compose the original Board; to provide the qualifications of members of the Board; to provide the oath of office of members of the Board; to provide the term of office and method of election of members of the Board; to provide the method of impeaching and removing from office members of the Board; to provide the method of filling vacancies in the Board; to provide for the compensation of the members of the Board; to provide for the organization of the Board; to provide for the meetings of the Board; to provide for copies of the records of the Board to be certified by the Secretary to be competent evidence in all courts; to provide the authority and duties of the said Board; to provide for the management and control of the Municipal Electric Distribution System of the City of Decatur by said Board; to provide for the employment by the Board of a manager, clerks, stenographers, attorneys, linemen, repairmen, and any other employees found necessary to be employed by said Board; to provide for official bonds of officers and employees of the Board handling money; to provide for the collection, deposit and distribution of funds received from the operation of said Electric Distribution System; to provide for bond of depository of funds of the Board; to provide method of withdrawal of funds of the Board and signing of warrants for the payment of claims; to provide that in any expenditure for any new construction, additions, or replacements to the electric plant, where the amount to be expended is more than \$1,000, the expenditure must be approved by the City Council of the City of Decatur; to provide for an annual audit and a semi-annual publication of the financial condition of the system; to provide that said Board shall have the control, management, and operation of any water, gas or other utilities if same should be in the future acquired by the City of Decatur; to provide for the management and operation of such other utilities, and to provide for reports of the Board to the City Council", ADOPTED BY THE LEGISLATURE OF 1939, AND APPROVED ON MARCH 3RD, 1939.

H. 981. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 21,850 nor more than 21,950 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

H. 982. To provide for collection and enforcement by the state department of revenue of sales and use taxes levied or assessed by the town of Ragland, St. Clair County.

H. 987. Prescribing sheriffs' allowances for transporting juvenile delinquents to places of confinement.

H. 988. To raise revenue for educational purposes in Perry County; to levy an excise tax on bottled soft drinks; and to provide for the collection and administration of such tax; repealing Act No. 723, H. 1048, Regular Session 1961.

S. 266. Relating to Blount County; abolishing the board of finance and control created by Act No. 334, H. 954, approved September 2, 1955,

and restoring and re-establishing the court of county commissioners of Blount County in lieu thereof, providing for the organization, powers, jurisdiction, and duties of the court of county commissioners; and providing for the qualifications, election, term, powers, duties, authority, and compensation of its members.

Mr. Rast, Chairman of the Standing Committee on Local Legislation No. 2, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 967. For the relief of Brenton Clay (B.C.) Clark; provided that the City of Birmingham and the officers thereof be authorized and directed to pay Three Hundred Fifty Dollars (\$350.00) damages sustained in an automobile accident on December 13, 1962, with a vehicle owned by the City of Birmingham and operated by an employee thereof.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 812. (With Substitute). To regulate further the office of sheriff in counties having populations of more than 300,000 and less than 500,000 according to last or any subsequent federal decennial census: To exempt sheriffs of such counties from liability for the acts of their deputies, except in certain cases; to require deputy sheriffs in such counties to execute official bonds, conditioned, payable, and approved as the bonds of sheriffs; and to provide for the payment of the premium on such bonds out of the county treasury.

Mr. Engel, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 974. To amend the title and Section 2 of Act No. 629, H. 1028, Regular Session 1939 (General Acts 1939, p. 997), relating to the issuance of building permits in certain counties classified on a population basis.

Mr. Branyon, Chairman of the Standing Committee on Military Affairs, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 556. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for members of the militia payable for injury, disability or death as a direct result of active military service.

H. 478 POSTPONED

On motion of Mr. Meade, consideration of the bill, H. 478, was postponed until the next legislative day.

BILLS ON THIRD READING

H. 880. Relating to counties having a population of not less than 76,000 nor more than 96,000; Providing for the reidentification of all registered voters; directing the Board of Registrars to purge the list of registered voters; and providing a penalty for willfully making a false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hawkins	Perry
Avery	Daniel	Heflin	Pierce
Bailes	Davis	Hester	Posey
Baker (DeKalb)	Doggett	Hogan	Powell
Baker (Madison)	Downing	Holladay	Pruitt
Barnett	Drake	Jones (Covington)	Rast
Bassett	Edington	Jones (Monroe)	Reynolds
Bethea (M)	Edwards (Escambia)	Little	Rogers
Boston	Edwards (Lowndes)	McCorquodale	Salter
Bowers	Engel	McDermott	Sessions
Branyon	Faulk	Martin	Slate
Brown (Jefferson)	Fields	Meade	Steagall
Burns	Fite	Meeks	Stembridge
Camp	Gilmore	Merrill	Sullivan
Campbell (Jackson)	Glass	Moore	Teel
Casey	Goodwyn	Nabors	Thomas
Cates	Grouby	NeSmith	Turner (Crenshaw)
Collins	Hain	Nettles	Turner (Limestone)
Cook	Hannah	Paulk	Wood
Cooper			

—77

And the bill:

H. 881. To provide that clerks of county courts or other inferior courts in counties having a population of not less than 25,700 nor more than 25,900, according to the 1960 or any subsequent federal decennial census, may take affidavits and complaints, issue warrants of arrest in misdemeanor and felony cases, and issue search warrants.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cates	Glass	Meeks
Avery	Collins	Goodwyn	Merrill
Bailes	Cook	Grouby	Moore
Baker (DeKalb)	Cooper	Hain	Morrow
Baker (Madison)	Crawford	Hannah	Nabors
Barnett	Daniel	Hawkins	NeSmith
Bassett	Davis	Heflin	Nettles
Bethea (M)	Doggett	Hester	Paulk
Bevill	Downing	Hogan	Pennington
Boston	Drake	Holladay	Perry
Branyon	Edington	Ingram	Pierce
Brown (Jefferson)	Edwards (Escambia)	Jones (Covington)	Posey
Burns	Engel	Jones (Monroe)	Powell
Camp	Faulk	Little	Pruitt
Campbell (Jackson)	Fields	McCorquodale	Rast
Campbell (Tuscaloosa)	Fite	McDermott	Reynolds
Casey	Gilmore	Martin	Rogers

REGULAR SESSION

1417

Salter	Steagall	Teel	Turnham
Sessions	Stembridge	Thomas	Vacca
Slate	Sullivan	Turner (Crenshaw)	Wood
Smith			

—81

MOTION TO RECESS LOST

The motion of Mr. Bailes that the House recess until 3:35 o'clock this afternoon was lost.

Yeas 29; Nays 56.

Yeas:

Messrs.	Collins	Hogan	Nabors
Bailes	Dominick	Ingram	Perry
Bethea (M)	Downing	Jones (Covington)	Pierce
Blanton	Edington	Locke	Rast
Bowers	Etheredge	Mashburn	Rogers
Brown (Jefferson)	Fields	Meeks	Sessions
Callahan	Gilmore	Morrow	Vacca
Campbell (Tuscaloosa)	Hawkins		

—29

Nays:

Mr. Speaker	Crawford	Heflin	Powell
Avery	Daniel	Hester	Pruitt
Baker (DeKalb)	Davis	Jones (Monroe)	Slate
Barnett	Doggett	Little	Smith
Basnett	Drake	McCorquodale	Steagall
Bevill	Edwards (Escambia)	McDermott	Stembridge
Bolton	Edwards (Lowndes)	Martin	Sullivan
Boston	Engel	Meade	Teel
Camp	Faulk	Merrill	Thomas
Campbell (Jackson)	Fite	Moore	Turner (Crenshaw)
Casey	Glass	NeSmith	Turner (Limestone)
Cates	Goodwyn	Nettles	Turnham
Cooper	Grouby	Paulk	Wood
Cornett	Hannah	Posey	Young

—56

H. J. R. 93 ADOPTED

H. J. R. 93. Proposing an amendment to the Constitution of Alabama.

Was taken up.

On motion of Mr. Brewer, the motion of Mr. Bethea (M) to postpone further consideration of the resolution, H.J.R. 93, until the twenty-eighth legislative day, was laid upon the table.

And said resolution, H. J. R. 93, was then read a third time at length as required by the Constitution, and adopted.

Yeas 64; Nays 35.

Yeas:

Mr. Speaker	Cates	Hannah	Pierce
Avery	Cook	Heflin	Posey
Baker (DeKalb)	Cooper	Hester	Powell
Baker (Madison)	Crawford	Holladay	Pruitt
Barnett	Daniel	Ingram	Salter
Bassett	Davis	Jones (Monroe)	Scurlock
Bevill	Doggett	McCorquodale	Slate
Blanton	Drake	Martin	Steagall
Bolton	Edwards (Escambia)	Mashburn	Sullivan
Boston	Edwards (Lowndes)	Meade	Teel
Branyon	Faulk	Merrill	Thomas
Burnham	Fite	Moore	Turner (Crenshaw)
Camp	Glass	NeSmith	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Nettles	Turnham
Cantrell	Grouby	Owens	Wood
Carr	Hankins	Paulk	Young

—64

Nays:

Messrs.	Callahan	Goldthwaite	Nabors
Albea	Collins	Hawkins	Pennington
Bailes	Dominick	Hogan	Perry
Bethea (B)	Downing	Jones (Covington)	Rast
Bethea (M)	Edington	Little	Reynolds
Bowers	Engel	Locke	Rogers
Brown (Jefferson)	Etheredge	McDermott	Sessions
Brown (Tuscaloosa)	Fields	Meeks	Stembridge
Burns	Gilmore	Morrow	Vacca

—35

MOTION TO ADJOURN LOST

The motion of Mr. Bailes that the House adjourn until Friday, August 2, 1963, at ten o'clock A.M. was lost.

Yeas 20; Nays 77.

Yeas:

Messrs.	Brown (Tuscaloosa)	Dominick	Perry
Bailes	Burns	Gilmore	Rast
Bethea (B)	Callahan	Jones (Covington)	Rogers
Bethea (M)	Collins	Locke	Sessions
Bowers	Cornett	Morrow	Vacca
Brown (Jefferson)			

—20

Nays:

Mr Speaker	Branyon	Cook	Edwards (Lowndes)
Albea	Burnham	Cooper	Engel
Avery	Camp	Crawford	Faulk
Baker (DeKalb)	Campbell (Jackson)	Daniel	Fields
Barnett	Campbell (Tuscaloosa)	Doggett	Glass
Bassett	Cantrell	Downing	Goldthwaite
Bevill	Carr	Drake	Goodwyn
Bolton	Casey	Edington	Grouby
Boston	Cates	Edwards (Escambia)	Hain

Hankins	McDermott	Owens	Slate
Hannah	Martin	Paulk	Steagall
Hawkins	Mashburn	Pennington	Stembridge
Heflin	Meade	Pierce	Sullivan
Hester	Meeks	Posey	Teel
Hogan	Merrill	Powell	Thomas
Holladay	Moore	Pruitt	Turner (Crenshaw)
Ingram	Nabors	Reynolds	Turner (Limestone)
Jones (Monroe)	NeSmith	Salter	Turnham
Little	Nettles	Scurlock	Wood
McCorquodale			

—77

BILLS ON THIRD READING RESUMED

H. 882. Relating to counties having a population of not less than 25,700 nor more than 25,900; regulating further the compensation and expense allowance of county superintendents of education.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hawkins	Pennington
Avery	Crawford	Heflin	Perry
Baker (DeKalb)	Daniel	Hester	Pierce
Barnett	Doggett	Hogan	Posey
Bassett	Downing	Holladay	Powell
Bethea (B)	Drake	Ingram	Pruitt
Bevill	Edington	Jones (Covington)	Rast
Bolton	Edwards (Escambia)	Jones (Monroe)	Reynolds
Boston	Edwards (Lowndes)	Locke	Rogers
Bowers	Engel	McCorquodale	Scurlock
Branyon	Etheredge	McDermott	Sessions
Brown (Jefferson)	Faulk	Martin	Slate
Burnham	Fields	Mashburn	Steagall
Camp	Gilmore	Meade	Stembridge
Campbell (Jackson)	Glass	Meeks	Sullivan
Cantrell	Goldthwaite	Merrill	Thomas
Carr	Goodwyn	Moore	Turner (Crenshaw)
Casey	Grouby	NeSmith	Turner (Limestone)
Cates	Hain	Nettles	Turnham
Cook	Hankins	Owens	Vacca
Cooper	Hannah	Paulk	Wood

—84

And the bill:

H. 883. To provide an allowance for clerk hire for the circuit court clerk of all counties having populations of not less than 25,700 nor more than 25,900.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cook	Hester	Pierce
Avery	Cooper	Hogan	Posey
Baker (DeKalb)	Crawford	Holladay	Powell
Barnett	Daniel	Ingram	Pruitt
Bassett	Doggett	Jones (Covington)	Rast
Bethea (B)	Downing	Jones (Monroe)	Reynolds
Bevill	Drake	Little	Rogers
Blanton	Edington	Locke	Salter
Bolton	Edwards (Escambia)	McCorquodale	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Branyon	Faulk	Mashburn	Steagall
Brown (Jefferson)	Fields	Meade	Stembridge
Brown (Tuscaloosa)	Gilmore	Meeks	Sullivan
Burnham	Glass	Merrill	Thomas
Burns	Goldthwaite	Moore	Turner (Crenshaw)
Camp	Goodwyn	NeSmith	Turner (Limestone)
Campbell (Jackson)	Grouby	Nettles	Turnham
Cantrell	Hain	Owens	Vacca
Carr	Hankins	Paulk	Wood
Casey	Hannah	Pennington	Young
Cates			

—89

And the bill:

H. 884. Relating to counties having populations of not less than 10,800 nor more than 11,800; prohibiting payroll deduction of dues of teachers and school employees in professional organizations; prescribing punishment for violations.

Was taken up.

Mr. Casey offered the following substitute for the bill, H. 884.:

Substitute for H.B. 884

A BILL TO BE ENTITLED AN ACT

Relating to counties having populations of not less than 10,800 nor more than 11,800; prohibiting payroll deduction of dues of teachers and school employees in professional organizations; prescribing punishment for violations.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. In all counties having populations of not less than 10,800 nor more than 11,800, according to the most recent federal decennial census, it shall be unlawful for the county board of education or any city board of education within such county to authorize, permit, or allow payroll deductions to be made for payment of dues of its employees in national professional associations, societies, or other like organizations. Whoever violates this Act is guilty of a misdemeanor and shall be punished as provided in Alabama Code 1940, Title 15, Section 327.

Section 2. Any assignment of wages or salaries in violation of Sec-

tion 1 by any teacher or other employee of the county board of education or of any city board of education shall be null and void.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Hawkins	Perry
Albea	Cook	Heflin	Pierce
Avery	Cooper	Hester	Posey
Baker (DeKalb)	Crawford	Hogan	Powell
Barnett	Daniel	Holladay	Pruitt
Bassett	Davis	Ingram	Rast
Bethea (B)	Doggett	Jones (Covington)	Reynolds
Bevill	Downing	Jones (Monroe)	Rogers
Blanton	Drake	Locke	Salter
Bolton	Edwards (Escambia)	McCorquodale	Scurlock
Boston	Edwards (Lowndes)	McDermott	Sessions
Bowers	Engel	Martin	Slate
Brown (Jefferson)	Faulk	Meade	Steagall
Burnham	Gilmore	Meeks	Stembridge
Burns	Glass	Merrill	Thomas
Camp	Goldthwaite	Moore	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	NeSmith	Turnham
Cantrell	Grouby	Nettles	Vacca
Carr	Hain	Owens	Wood
Casey	Hankins	Paulk	Young
Cates	Hannah		

—82

And said bill, H. 884, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Brown (Tuscaloosa)	Doggett	Holladay
Albea	Burnham	Downing	Ingram
Avery	Camp	Drake	Jones (Covington)
Bailes	Campbell (Jackson)	Edwards (Escambia)	Jones (Monroe)
Baker (DeKalb)	Campbell (Tuscaloosa)	Edwards (Lowndes)	McCorquodale
Barnett	Cantrell	Engel	McDermott
Bassett	Carr	Faulk	Meade
Bethea (B)	Casey	Gilmore	Meeks
Bevill	Cates	Goldthwaite	Merrill
Blanton	Collins	Hain	NeSmith
Bolton	Cook	Hankins	Nettles
Boston	Cooper	Hannah	Owens
Bowers	Crawford	Heflin	Paulk
Branyon	Daniel	Hester	Pennington
Brown (Jefferson)	Davis	Hogan	Perry

Pierce	Reynolds	Slate	Turner (Crenshaw)
Posey	Rogers	Steagall	Turnham
Powell	Salter	Stembridge	Vacca
Pruitt	Scurlock	Sullivan	Wood
Rast	Sessions	Thomas	Young

—80

And the bill:

H. 886. Relating to counties having populations of less than 10,800; prescribing the compensation of the county superintendents of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Perry
Albea	Cates	Heflin	Pierce
Avery	Collins	Hester	Posey
Baker (DeKalb)	Cook	Hogan	Powell
Barnett	Cooper	Holladay	Pruitt
Bassett	Crawford	Ingram	Rast
Bethea (B)	Daniel	Jones (Covington)	Reynolds
Bevill	Davis	Jones (Monroe)	Rogers
Blanton	Doggett	Locke	Salter
Boston	Downing	McCorquodale	Scurlock
Bowers	Drake	McDermott	Sessions
Branyon	Edington	Meade	Steagall
Brown (Jefferson)	Edwards (Escambia)	Meeks	Stembridge
Brown (Tuscaloosa)	Edwards (Lowndes)	Merrill	Sullivan
Burnham	Engel	Moore	Teel
Burns	Fields	NeSmith	Thomas
Camp	Gilmore	Nettles	Turnham
Campbell (Jackson)	Glass	Owens	Vacca
Campbell (Tuscaloosa)	Hain	Paulk	Wood
Cantrell	Hankins	Pennington	Young
Carr			

—81

And the bill:

H. 887. To fix and provide for the payment of the ex officio fees of the clerks of the circuit courts of all counties in this state having populations of not more than 11,800, according to the last or any subsequent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Campbell (Jackson)
Albea	Bethea (B)	Brown (Jefferson)	Cantrell
Avery	Bevill	Brown (Tuscaloosa)	Carr
Baker (DeKalb)	Blanton	Burnham	Casey
Barnett	Boston	Burns	Cates

Collins	Goodwyn	Merrill	Rogers
Cooper	Hain	Moore	Salter
Crawford	Hankins	NeSmith	Scurlock
Daniel	Hannah	Nettles	Sessions
Davis	Heflin	Owens	Slate
Doggett	Hogan	Paulk	Steagall
Downing	Holladay	Pennington	Stembridge
Edington	Ingram	Perry	Sullivan
Edwards (Escambia)	Jones (Covington)	Pierce	Teel
Edwards (Lowndes)	Locke	Posey	Thomas
Engel	McCorquodale	Powell	Turnham
Fields	McDermott	Pruitt	Vacca
Gilmore	Meade	Reynolds	Young

—72

And the bill:

H. 888. Relating to Coosa County; providing additional compensation for certain election officers.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Powell
Albea	Collins	Heflin	Pruitt
Avery	Cook	Hogan	Rast
Baker (DeKalb)	Cooper	Holladay	Reynolds
Barnett	Crawford	Ingram	Rogers
Bassett	Daniel	Jones (Covington)	Salter
Bethea (B)	Davis	Jones (Monroe)	Scurlock
Bevill	Doggett	McCorquodale	Sessions
Blanton	Downing	McDermott	Slate
Boston	Drake	Meade	Steagall
Bowers	Edington	Meeks	Stembridge
Branyon	Edwards (Escambia)	Merrill	Sullivan
Brown (Jefferson)	Edwards (Lowndes)	Moore	Teel
Brown (Tuscaloosa)	Engel	NeSmith	Thomas
Burnham	Fields	Nettles	Turner (Crenshaw)
Burns	Fite	Owens	Turner (Limestone)
Campbell (Jackson)	Gilmore	Pennington	Turnham
Campbell (Tuscaloosa)	Glass	Perry	Vacca
Cantrell	Hain	Pierce	Wood
Carr	Hankins	Posey	Young
Casey			

—80

And the bill:

H. 889. To provide for the selection of office assistance for the County Superintendent of Education for Coosa County, Alabama, and to fix the compensation of such help.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Cook	Hogan	Powell
Albea	Crawford	Holladay	Pruitt
Avery	Daniel	Ingram	Rast
Baker (DeKalb)	Davis	Jones (Covington)	Reynolds
Barnett	Doggett	Jones (Monroe)	Rogers
Bassett	Downing	Locke	Salter
Bethea (B)	Drake	McCorquodale	Scurlock
Bevill	Edington	McDermott	Sessions
Blanton	Edwards (Escambia)	Meade	Slate
Boston	Edwards (Lowndes)	Meeks	Steagall
Branyon	Engel	Merrill	Stembridge
Brown (Jefferson)	Fite	Moore	Sullivan
Brown (Tuscaloosa)	Gilmore	NeSmith	Teel
Burnham	Glass	Nettles	Thomas
Burns	Goodwyn	Owens	Turner (Crenshaw)
Campbell (Jackson)	Grouby	Paulk	Turner (Limestone)
Cantrell	Hain	Pennington	Turnham
Carr	Hankins	Perry	Vacca
Casey	Hannah	Pierce	Wood
Cates	Heflin	Posey	Young
Collins			

—82

And the bill:

H. 904. To amend Title 14, Section 246, Code of Alabama 1940, so as to authorize domino games in billiard rooms in counties having a population of not less than 50,000 nor more than 54,000.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Hogan	Powell
Albea	Cooper	Ingram	Pruitt
Avery	Crawford	Jones (Covington)	Rast
Baker (DeKalb)	Daniel	Jones (Monroe)	Reynolds
Barnett	Davis	Locke	Rogers
Bassett	Doggett	McCorquodale	Salter
Bevill	Downing	McDermott	Scurlock
Boston	Drake	Mashburn	Sessions
Bowers	Edwards (Escambia)	Meade	Slate
Branyon	Edwards (Lowndes)	Meeks	Steagall
Brown (Jefferson)	Engel	Merrill	Stembridge
Brown (Tuscaloosa)	Fields	Moore	Sullivan
Burnham	Fite	NeSmith	Teel
Burns	Gilmore	Nettles	Thomas
Camp	Glass	Owens	Turner (Crenshaw)
Campbell (Jackson)	Goodwyn	Paulk	Turner (Limestone)
Campbell (Tuscaloosa)	Grouby	Pennington	Vacca
Cantrell	Hain	Perry	Turnham
Carr	Hankins	Pierce	Wood
Casey	Hannah	Posey	Young
Cates	Heflin		

—82

And the bill:

H. 907. To repeal Act No. 851, H. 1478, Regular Session 1961 (Acts 1961, p. 1277), which authorizes the court of county commissioners, board of revenue, or other like governing body of Lamar County to levy, when approved by a majority of the qualified voters of the county, special privilege license and excise taxes paralleling the state sales and use taxes, and provide for the collection and enforcement of such taxes by the state department of revenue.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Ferry
Albea	Collins	Heflin	Posey
Avery	Cooper	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Pruitt
Baker (Madison)	Daniel	Jones (Covington)	Rast
Barnett	Davis	Jones (Monroe)	Reynolds
Bassett	Doggett	Locke	Rogers
Bethea (B)	Downing	McCorquodale	Salter
Bevil	Drake	McDermott	Scurlock
Blanton	Edington	Martin	Sessions
Boston	Edwards (Escambia)	Mashburn	Steagall
Bowers	Edwards (Lowndes)	Meade	Sullivan
Branyon	Fields	Meeks	Teel
Brown (Jefferson)	Fite	Merrill	Thomas
Brown (Tuscaloosa)	Gilmore	Moore	Turner (Crenshaw)
Burnham	Glass	NeSmith	Turnham
Burns	Goodwyn	Nettles	Vacca
Camp	Grouby	Owens	Wood
Campbell (Jackson)	Hain	Paulk	Young
Carr	Hankins	Pennington	

—79

And the bill:

H. 908. To alter, rearrange, and extend the boundary lines and corporate limits of the City of Florence in Lauderdale County so as to annex certain territory to the city.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 80; Nays 0.

Yeas:

Messrs.	Boston	Collins	Edwards (Lowndes)
Albea	Bowers	Cooper	Engel
Avery	Branyon	Crawford	Fields
Baker (DeKalb)	Brown (Jefferson)	Daniel	Fite
Baker (Madison)	Brown (Tuscaloosa)	Davis	Gilmore
Barnett	Burnham	Doggett	Glass
Bassett	Camp	Downing	Goodwyn
Bethea (B)	Campbell (Jackson)	Drake	Grouby
Bevill	Carr	Edington	Hain
Blanton	Casey	Edwards (Escambia)	Hankins

Hannah	Meade	Perry	Sessions
Heflin	Meeks	Pierce	Steagall
Hogan	Merrill	Posey	Sullivan
Holladay	Moore	Powell	Teel
Ingram	Nabors	Pruitt	Thomas
Jones (Covington)	NeSmith	Rast	Turner (Crenshaw)
Jones (Monroe)	Nettles	Reynolds	Turnham
Locke	Owens	Rogers	Vacca
McDermott	Paulk	Salter	Wood
Martin	Pennington	Scurlock	Young
Mashburn			

—80

H. 909 POSTPONED

On motion of Mr. Hannah, consideration of the bill, H. 909, was postponed until the next legislative day.

And the bill:

H. 911. Relating to the office of Solicitor of the Fifth Judicial Circuit: creating a solicitor's fund for the use of the Circuit Solicitor.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Pennington
Albea	Collins	Heflin	Perry
Avery	Cooper	Hogan	Pierce
Baker (DeKalb)	Crawford	Holladay	Posey
Baker (Madison)	Daniel	Ingram	Pruitt
Barnett	Davis	Jones (Covington)	Rast
Bassett	Doggett	Jones (Monroe)	Reynolds
Bethea (B)	Downing	Locke	Rogers
Bevill	Drake	McDermott	Salter
Blanton	Edington	Martin	Scurlock
Boston	Edwards (Escambia)	Mashburn	Sessions
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Meeks	Sullivan
Brown (Jefferson)	Fields	Merrill	Teel
Brown (Tuscaloosa)	Fite	Moore	Thomas
Burnham	Gilmore	Nabors	Turner (Crenshaw)
Burns	Glass	NeSmith	Turnham
Camp	Goodwyn	Nettles	Vacca
Campbell (Jackson)	Hain	Owens	Wood
Carr	Hankins	Paulk	Young
Casey			

—81

UNANIMOUS CONSENT GRANTED

Mr. Turnham requested unanimous consent to add the name of Mr. Snell as a co-author of the bill, H. 911, and it was so granted.

BILLS ON THIRD READING RESUMED

H. 915. Relating to Limestone County; to amend further Act No.

120, S. 210, approved July 17, 1947, as amended relating to the office of the tax collector, increasing the compensation of the clerk.

Was taken up.

Mr. Turner (Limestone) offered the following substitute for the bill H. 915:

Substitute for H.B. 915:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 2 of Act No. 204, H. 544, Regular Session 1959, an act fixing and providing for payment of the compensation of clerks and assistants of certain officers of Limestone County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 2 of Act No. 204, H. 544, Regular Session 1959, an act relating to the payment of compensation of clerks of certain officers of Limestone County (Acts 1959, v. 1, p. 738) is hereby amended to read as follows:

"Section 2. The further sum of four thousand two hundred dollars (\$4,200), or so much thereof as may be necessary shall be appropriated annually from the general fund of Limestone County for payment of the compensation of the clerks and assistants of the tax collector of Limestone County. Such appropriation shall be used exclusively to pay the monthly salary of one full time clerk at not exceeding three hundred dollars and a salary of the part time clerk at not exceeding two hundred dollars a month, for not more than three months each year."

And the substitute was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cates	Hannah	Perry
Albea	Collins	Heflin	Pierce
Avery	Cook	Hogan	Posey
Baker (DeKalb)	Cooper	Holladay	Powell
Baker (Madison)	Cornett	Ingram	Pruitt
Barnett	Crawford	Jones (Covington)	Rast
Bassett	Daniel	Jones (Monroe)	Reynolds
Bethea (B)	Davis	Locke	Rogers
Bevill	Doggett	McDermott	Salter
Blanton	Downing	Martin	Scurlock
Boston	Drake	Mashburn	Sessions
Bowers	Edwards (Escambia)	Meade	Steagall
Branyon	Edwards (Lowndes)	Meeks	Sullivan
Brown (Jefferson)	Engel	Merrill	Teel
Brown (Tuscaloosa)	Fite	Moore	Thomas
Burnham	Gilmore	Morrow	Turner (Crenshaw)
Burns	Glass	Nabors	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Jackson)	Grouby	Owens	Vacca
Campbell (Tuscaloosa)	Hain	Paulk	Wood
Carr	Hankins	Pennington	Young
Casey			

And said bill, H. 915, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cook	Hogan	Pierce
Avery	Cooper	Holladay	Posey
Baker (DeKalb)	Cornett	Ingram	Powell
Baker (Madison)	Crawford	Jones (Covington)	Pruitt
Barnett	Daniel	Jones (Monroe)	Rast
Bassett	Davis	Locke	Reynolds
Betha (B)	Doggett	McDermott	Rogers
Bevill	Downing	Mashburn	Salter
Blanton	Drake	Meade	Scurlock
Boston	Edwards (Escambia)	Meeks	Sessions
Bowers	Edwards (Lowndes)	Merrill	Steagall
Branyon	Engel	Moore	Sullivan
Brown (Jefferson)	Fite	Morrow	Teel
Burnham	Gilmore	Nabors	Thomas
Burns	Glass	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Tuscaloosa)	Grouby	Owens	Vacca
Carr	Hain	Paulk	Wood
Casey	Hankins	Pennington	Young
Cates	Hannah		

—82

And the bill:

H. 916. Relating to Limestone County; to amend further Section 2 of Act No. 95, H. 395, approved July 7, 1947, as amended, relating to the office of the tax assessor, increasing the compensation of the regular clerk.

Was taken up.

Mr. Turner (Limestone) offered the following substitute for the bill, H. 916:

Substitute for H. B. 916

**A BILL
TO BE ENTITLED
AN ACT**

To amend Section 3 of Act No. 204, H. 544, Regular Session 1959, an act fixing and providing for payment of the compensation of clerks and assistants of certain officers of Limestone County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 3 of Act No. 204, H. 544, Regular Session 1959, an act relating to the payment of compensation of clerks of certain officers of Limestone County (Acts 1959, v. 1, p. 738) is hereby amended to read as follows:

“Section 3. The further sum of four thousand two hundred dollars (\$4,200), or so much thereof as may be necessary shall be appropriated

annually from the general fund of Limestone County for payment of the compensation of the clerks and assistants of the tax assessor of Limestone County. Such appropriation shall be used exclusively to pay the monthly salary of one full time clerk at not exceeding three hundred dollars and a salary of the part time clerk at not exceeding two hundred dollars a month, for not more than three months each year."

And the substitute was adopted.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Cook	Hogan	Pierce
Albea	Cooper	Holladay	Posey
Baker (DeKalb)	Crawford	Ingram	Powell
Barnett	Daniel	Jones (Covington)	Pruitt
Bassett	Davis	Jones (Monroe)	Rast
Bethea (B)	Doggett	Locke	Reynolds
Bevill	Downing	McDermott	Rogers
Blanton	Drake	Martin	Salter
Bolton	Edwards (Escambia)	Mashburn	Scurlock
Boston	Edwards (Lowndes)	Meade	Sessions
Bowers	Engel	Meeks	Steagall
Branyon	Fite	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Morrow	Teel
Burnham	Glass	Nabors	Thomas
Burns	Goodwyn	NeSmith	Turner (Crenshaw)
Camp	Grouby	Nettles	Turner (Limestone)
Campbell (Jackson)	Hain	Owens	Turnham
Campbell (Tuscaloosa)	Hankins	Paulk	Wood
Carr	Hannah	Pennington	Young
Casey	Heflin	Perry	

—80

And said bill, H. 916, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Casey	Hannah	Pennington
Albea	Collins	Heflin	Perry
Baker (DeKalb)	Cooper	Hogan	Pierce
Barnett	Crawford	Holladay	Posey
Bassett	Daniel	Jones (Covington)	Powell
Bethea (B)	Davis	Jones (Monroe)	Pruitt
Bevill	Doggett	Locke	Rast
Blanton	Downing	Martin	Reynolds
Bolton	Drake	Mashburn	Rogers
Boston	Edgington	Meade	Salter
Bowers	Edwards (Escambia)	Meeks	Scurlock
Branyon	Edwards (Lowndes)	Merrill	Steagall
Brown (Jefferson)	Engel	Moore	Sullivan
Brown (Tuscaloosa)	Fite	Morrow	Teel
Burnham	Gilmore	Nabors	Thomas
Burns	Glass	NeSmith	Turner (Crenshaw)
Camp	Goodwyn	Nettles	Vacca
Campbell (Jackson)	Hain	Owens	Wood
Campbell (Tuscaloosa)	Hankins	Paulk	Young
Carr			

—79

And the bill:

H. 919. Relating to counties having populations of not less than 110,000 nor more than 160,000; providing for appointment and compensation of a secretary for the circuit court judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins	Hawkins	Pierce
Albea	Cook	Heflin	Posey
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Crawford	Holladay	Pruitt
Baker (Madison)	Daniel	Jones (Covington)	Rast
Barnett	Davis	Jones (Monroe)	Reynolds
Bassett	Doggett	Locke	Rogers
Bethea (B)	Downing	McDermott	Salter
Bevill	Drake	Mashburn	Scurlock
Blanton	Edwards (Escambia)	Meade	Sessions
Boston	Edwards (Lowndes)	Meeks	Slate
Bowers	Engel	Merrill	Steagall
Branyon	Faulk	Moore	Stembridge
Brown (Jefferson)	Fields	Morrow	Sullivan
Burnham	Gilmore	Nabors	Teel
Burns	Glass	NeSmith	Thomas
Camp	Goodwyn	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Grouby	Owens	Turnham
Campbell (Tuscaloosa)	Hain	Paulk	Vacca
Cantrell	Hankins	Pennington	Wood
Carr	Hannah	Perry	Young
Casey			

—85

And the bill:

H. 920. To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 100,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

Was taken up.

Mr. Baker (Madison) offered the following substitute for the bill, H. 920:

A BILL
TO BE ENTITLED
AN ACT

To provide for official court reporters in all circuit courts in all counties in the State of Alabama having a population of not less than 100,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census; to fix the duties and status and authority of such court reporters; and to provide for the appointment of such court reporters by each circuit judge in such counties and to provide for the compensation and salary of such court reporters.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That in all counties in Alabama having a population of not less than 100,000 nor more than 150,000 inhabitants according to the last preceding or any subsequent federal decennial census each of the circuit judges of the circuit court in such counties shall appoint a competent shorthand reporter to perform the duties of official court reporter of the court in the circuit over which the judge presides. No two or more judges shall appoint the same court reporter. No person shall be appointed official or special reporter under the provisions of this Act who is not able to correctly report in shorthand the proceedings in all trials as the same may occur and neatly and expeditiously transcribe on the typewriter testimony taken by him. Said official court reporter shall be an officer of the court, and within any county in Alabama shall have power to administer oaths, and shall hold office at the pleasure of the judge appointing him who shall have power to remove said official reporter at any time. The court reporter shall not be related to the trial judge within the fourth degree of consanguinity or affinity, and any appointment of a court reporter so related to the trial judge within the prohibited degree shall be void. Such court reporter shall write as directed by such judge, all necessary orders, judgments, decrees and other legal and court papers pertaining to said court and causes and proceedings therein.

Section 2. Such official court reporters herein provided for shall receive a salary of Six Thousand Four Hundred (\$6,400.00) Dollars per annum, Thirty-eight Hundred Dollars of which shall be payable in equal monthly installments by such counties and the remaining Twenty-six Hundred Dollars per annum shall be in equal monthly installments on the warrant of the State Comptroller from the general fund in the State Treasury.

Section 3. That this Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Cooper	Holladay	Pierce
Albea	Crawford	Jones (Covington)	Posey
Bailes	Daniel	Jones (Monroe)	Powell
Baker (DeKalb)	Doggett	Locke	Pruitt
Baker (Madison)	Downing	McCorquodale	Rast
Bassett	Drake	McDermott	Reynolds
Bevill	Edwards (Escambia)	Mashburn	Rogers
Blanton	Edwards (Lowndes)	Meade	Salter
Boston	Engel	Meeks	Scurlock
Bowers	Faulk	Merrill	Steagall
Branyon	Fite	Moore	Stembridge
Brown (Jefferson)	Gilmore	Morrow	Sullivan
Burnham	Glass	Nabors	Teel
Burns	Goodwyn	NeSmith	Thomas
Camp	Grouby	Nettles	Turner (Crenshaw)
Campbell (Jackson)	Hain	Owens	Turnham
Carr	Hankins	Paulk	Vacca
Casey	Heflin	Pennington	Wood
Collins	Hogan	Perry	Young
Cook			

And said bill, H. 920, as thus amended, was read a third time at

length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nays 0.

Yeas:

Mr Speaker	Cooper	Hogan	Pierce
Albea	Crawford	Holladay	Posey
Baker (DeKalb)	Daniel	Jones (Covington)	Powell
Baker (Madison)	Davis	Jones (Monroe)	Pruitt
Barnett	Doggett	Locke	Rast
Bassett	Downing	McCorquodale	Reynolds
Bevill	Drake	McDermott	Rogers
Blanton	Edwards (Escambia)	Martin	Salter
Boston	Edwards (Lowndes)	Mashburn	Scurlock
Bowers	Engel	Meade	Steagall
Brown (Jefferson)	Faulk	Meeks	Stembridge
Burnham	Fite	Merrill	Sullivan
Burns	Gilmore	Morrow	Teel
Camp	Glass	NeSmith	Thomas
Campbell (Jackson)	Goodwyn	Nettles	Turner (Crenshaw)
Carr	Grouby	Owens	Turnham
Casey	Hain	Paulk	Vacca
Collins	Hankins	Pennington	Wood
Cook	Heflin	Perry	Young

—76

And the bill:

H. 934. Relating to counties having populations of not less than 22,350 nor more than 4,350; providing expense allowances for members of the governing bodies of such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Collins	Hannah	Pierce
Albea	Cook	Heflin	Posey
Baker (DeKalb)	Cooper	Hogan	Powell
Baker (Madison)	Crawford	Holladay	Pruitt
Barnett	Daniel	Jones (Covington)	Rast
Bassett	Davis	Jones (Monroe)	Reynolds
Bevill	Doggett	Locke	Rogers
Blanton	Downing	McCorquodale	Salter
Boston	Drake	McDermott	Scurlock
Bowers	Edwards (Escambia)	Martin	Steagall
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Jefferson)	Engel	Meade	Sullivan
Brown (Tuscaloosa)	Faulk	Meeks	Teel
Burnham	Fite	Merrill	Thomas
Burns	Gilmore	Nabors	Turner (Crenshaw)
Camp	Glass	NeSmith	Turnham
Campbell (Jackson)	Goodwyn	Nettles	Vacca
Carr	Grouby	Owens	Wood
Casey	Hain	Paulk	Young
Cates	Hankins	Perry	

—79

And the bill:

H. 935. Relating to counties having populations of not less than 22,350 nor more than 24,350; providing additional expense allowances for members of the board of education of such counties.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cook	Hogan	Pierce
Baker (DeKalb)	Cooper	Holladay	Posey
Baker (Madison)	Crawford	Jones (Covington)	Powell
Barnett	Daniel	Jones (Monroe)	Pruitt
Bassett	Davis	Locke	Rast
Bethea (B)	Doggett	McCorquodale	Reynolds
Bevill	Downing	McDermott	Rogers
Blanton	Drake	Martin	Salter
Boston	Edwards (Escambia)	Mashburn	Scurlock
Bowers	Edwards (Lowndes)	Meade	Steagall
Branyon	Engel	Meeks	Stembridge
Brown (Jefferson)	Faulk	Merrill	Sullivan
Brown (Tuscaloosa)	Fite	Morrow	Teel
Burnham	Gilmore	Nabors	Thomas
Burns	Glass	NeSmith	Turner (Crenshaw)
Camp	Goodwyn	Nettles	Turnham
Campbell (Jackson)	Grouby	Owens	Vacca
Carr	Hain	Paulk	Wood
Casey	Hankins	Pennington	Young
Cates	Hannah		

—82

And the bill:

H. 936. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16N, Range 1E.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Burnham	Drake	Hannah
Albea	Burns	Edwards (Escambia)	Heflin
Baker (DeKalb)	Camp	Edwards (Lowndes)	Hester
Baker (Madison)	Campbell (Jackson)	Engel	Hogan
Barnett	Carr	Faulk	Holladay
Bassett	Cates	Fite	Jones (Covington)
Bethea (B)	Collins	Gilmore	Jones (Monroe)
Bevill	Cook	Glass	Little
Blanton	Crawford	Goldthwaite	Locke
Boston	Daniel	Goodwyn	McCorquodale
Bowers	Davis	Grouby	McDermott
Branyon	Doggett	Hain	Mashburn
Brown (Jefferson)	Downing	Hankins	Meade

Meeks	Perry	Rogers	Thomas
Merrill	Pierce	Salter	Turner (Cronshaw)
Nabors	Posey	Scurlock	Turnham
NeSmith	Powell	Steagall	Vacca
Nettles	Pruitt	Stembridge	Wood
Paulk	Rast	Sullivan	Young
Pennington	Reynolds	Teel	

—79

And the bill:

H. 940. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Cook	Jones (Covington)	Powell
Albea	Cooper	Jones (Monroe)	Pruitt
Baker (DeKalb)	Crawford	Little	Rast
Baker (Madison)	Daniel	Locke	Reynolds
Bassett	Doggett	McCorquodale	Rogers
Bethea (B)	Downing	McDermott	Salter
Bevill	Drake	Mashburn	Scurlock
Blanton	Edwards (Escambia)	Meade	Slate
Bolton	Edwards (Lowndes)	Meeks	Steagall
Boston	Engel	Merrill	Stembridge
Bowers	Faulk	Moore	Sullivan
Branyon	Fite	Morrow	Teel
Brown (Jefferson)	Gilmore	Nabors	Thomas
Burnham	Goodwyn	NeSmith	Turner (Cronshaw)
Burns	Grouby	Nettles	Turner (Limestone)
Camp	Hain	Paulk	Turnham
Campbell (Jackson)	Hankins	Pennington	Vacca
Carr	Heflin	Perry	Wood
Casey	Hogan	Pierce	Young
Collins	Holladay	Posey	

—79

And the bill:

H. 941. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bassett	Boston	Camp
Albea	Bethea (B)	Bowers	Campbell (Jackson)
Baker (DeKalb)	Bevill	Branyon	Carr
Baker (Madison)	Blanton	Brown (Jefferson)	Casey
Barnett	Bolton	Burnham	Cates

Collins	Goodwyn	Meade	Reynolds
Cook	Grouby	Meeks	Rogers
Cooper	Hain	Merrill	Salter
Crawford	Hankins	Moore	Scurlock
Daniel	Hannah	Morrow	Slate
Davis	Heflin	Nabors	Steagall
Doggett	Hester	NeSmith	Stembridge
Downing	Hogan	Nettles	Sullivan
Drake	Holladay	Paulk	Teel
Edwards (Escambia)	Jones (Covington)	Pennington	Thomas
Edwards (Lowndes)	Jones (Monroe)	Perry	Turner (Crenshaw)
Engel	Little	Pierce	Turner (Limestone)
Faulk	Locke	Posey	Turnham
Fields	McCorquodale	Powell	Vacca
Fite	McDermott	Pruitt	Wood
Gilmore	Mashburn	Rast	Young
Glass			

—85

And the bill:

H. 942. Relating to St. Clair County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, branch office, or other place of business at Ragland in said county.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cook	Hester	Pierce
Bailes	Cooper	Hogan	Posey
Baker (DeKalb)	Crawford	Holladay	Powell
Baker (Madison)	Daniel	Jones (Covington)	Pruitt
Barnett	Davis	Jones (Monroe)	Rast
Bassett	Doggett	Little	Reynolds
Bethea (B)	Downing	Locke	Rogers
Bevill	Drake	McCorquodale	Salter
Blanton	Edwards (Escambia)	McDermott	Scurlock
Bolton	Edwards (Lowndes)	Mashburn	Slate
Boston	Engel	Meade	Steagall
Bowers	Faulk	Meeks	Stembridge
Branyon	Fields	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Moore	Teel
Burnham	Glass	Morrow	Thomas
Camp	Goodwyn	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Carr	Hain	Nettles	Vacca
Casey	Hankins	Paulk	Wood
Cates	Hannah	Pennington	Young

—85

And the bill:

H. 943. To apply in St. Clair County; regulating further the taking of fish from the Coosa River; authorizing the taking of catfish by the use of baskets, including wire mesh baskets, on which a privilege license tax has been paid; prohibiting the sale of fish so taken.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Collins	Heflin	Perry
Albea	Cook	Hester	Pierce
Bailes	Cooper	Hogan	Posey
Baker (DeKalb)	Crawford	Holladay	Powell
Baker (Madison)	Daniel	Jones (Covington)	Pruitt
Bassett	Davis	Jones (Monroe)	Rast
Bethea (B)	Doggett	Little	Reynolds
Bevill	Downing	Locke	Rogers
Blanton	Drake	McCorquodale	Salter
Bolton	Edwards (Escambia)	McDermott	Scurlock
Boston	Edwards (Lowndes)	Mashburn	Steagall
Bowers	Engel	Meade	Stembridge
Branyon	Faulk	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Burnham	Gilmore	Moore	Thomas
Burns	Glass	Morrow	Turner (Crawshaw)
Camp	Goodwyn	Nabors	Turner (Limestone)
Campbell (Jackson)	Grouby	NeSmith	Turnham
Carr	Hain	Nettles	Vacca
Casey	Hankins	Paulk	Wood
Cates	Hannah	Pennington	Young

—84

And the bill:

H. 948. To provide further for purging the lists of registered voters in Tallapoosa County, requiring and prescribing the procedure for reidentification of registered voters; placing certain duties on the board of registrars, judge of probate, and the county governing body relative to the reidentification of registered voters; and providing penalties for making a wilful false statement in connection with reidentification.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Burns	Drake	Hogan
Albea	Camp	Edwards (Escambia)	Holladay
Avery	Campbell (Jackson)	Edwards (Lowndes)	Ingram
Bailes	Campbell (Tuscaloosa)	Engel	Jones (Covington)
Baker (DeKalb)	Carr	Faulk	Jones (Monroe)
Baker (Madison)	Casey	Fields	Little
Barnett	Cates	Fite	Locke
Bassett	Collins	Gilmore	McCorquodale
Bethea (B)	Cook	Glass	McDermott
Bevill	Cooper	Goodwyn	Mashburn
Blanton	Cornett	Grouby	Meade
Bolton	Crawford	Hain	Meeks
Boston	Daniel	Hankins	Merrill
Bowers	Davis	Hannah	Moore
Branyon	Doggett	Heflin	Nabors
Burnham	Downing	Hester	NeSmith

Nettles	Powell	Scurlock	Turner (Crenshaw)
Paulk	Pruitt	Steagall	Turner (Limestone)
Pennington	Rast	Stembridge	Turnham
Perry	Reynolds	Sullivan	Vacca
Pierce	Rogers	Teel	Wood
Posey	Salter	Thomas	Young

—88

H. 949 POSTPONED

On motion of Mr. Beville, consideration of the bill, H. 949, was postponed until the next legislative day.

And the bill:

H. 952. Relating to counties having populations of not less than 15,360 nor more than 15,400; levying a privilege, license, or excise tax on the sale, distribution, storage, use, or other consumption of cigarettes and cigars in such counties providing for the collection and enforcement of the tax, and appropriating the proceeds therefrom.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins	Hester	Pierce
Albea	Cook	Hogan	Posey
Baker (DeKalb)	Crawford	Holladay	Powell
Baker (Madison)	Daniel	Ingram	Pruitt
Barnett	Davis	Jones (Covington)	Rast
Bassett	Doggett	Jones (Monroe)	Reynolds
Bethea (B)	Downing	McCorquodale	Rogers
Beville	Drake	McDermott	Salter
Blanton	Edwards (Escambia)	Martin	Scurlock
Bolton	Edwards (Lowndes)	Mashburn	Slate
Boston	Engel	Meade	Steagall
Bowers	Faulk	Meeks	Stembridge
Branyon	Fite	Merrill	Sullivan
Brown (Jefferson)	Gilmore	Moore	Teel
Burnham	Glass	Morrow	Thomas
Burns	Goodwyn	Nabors	Turner (Crenshaw)
Camp	Grouby	NeSmith	Turner (Limestone)
Campbell (Jackson)	Hain	Nettles	Turnham
Campbell (Tuscaloosa)	Hankins	Paulk	Vacca
Carr	Hannah	Pennington	Wood
Casey	Hawkins	Perry	Young
Cates	Heflin		

—86

And the bill:

H. 953. To amend Section 1 of Act No. 94, H. 250, Regular Session 1957 (Acts 1957, v. 1, p. 134), an act relating to the compensation of the superintendent of education of Winston County.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cooper	Heflin	Pennington
Albea	Cornett	Hester	Perry
Baker (DeKalb)	Crawford	Hogan	Pierce
Baker (Madison)	Daniel	Holladay	Posey
Bassett	Davis	Ingram	Powell
Bethea (B)	Doggett	Jones (Covington)	Pruitt
Bevill	Downing	Jones (Monroe)	Rast
Blanton	Drake	Little	Reynolds
Bolton	Edgington	Locke	Rogers
Boston	Edwards (Escambia)	McCorquodale	Salter
Bowers	Edwards (Lowndes)	McDermott	Scurlock
Branyon	Engel	Martin	Steagall
Brown (Jefferson)	Faulk	Mashburn	Stembridge
Burnham	Fields	Meade	Sullivan
Burns	Fite	Meeks	Teel
Camp	Gilmore	Merrill	Thomas
Campbell (Jackson)	Glass	Moore	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goodwyn	Morrow	Turner (Limestone)
Carr	Grouby	Nabors	Turnham
Casey	Hain	NeSmith	Vacca
Cates	Hankins	Nettles	Wood
Collins	Hannah	Paulk	Young
Cook	Hawkins		

—90

And the bill·

H. 954. To authorize, direct, and require the State Department of Revenue to collect any sales and use taxes which may be levied in the Town of Addison, Alabama, in Winston County, Alabama, under the provisions of any ordinances or resolution duly promulgated and adopted by the governing body of the Town of Addison, Alabama to prescribe the power, duties, and authority of the State Department of Revenue with respect to the method or procedure for collecting such taxes and remitting the proceeds thereof.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Fields	Locke
Albea	Carr	Fite	McCorquodale
Avery	Casey	Gilmore	Mashburn
Baker (DeKalb)	Cates	Glass	Meade
Baker (Madison)	Collins	Goodwyn	Meeks
Barnett	Cook	Grouby	Merrill
Bassett	Cooper	Hain	Moore
Bethea (B)	Cornett	Hankins	Morrow
Bevill	Crawford	Hannah	Nabors
Blanton	Daniel	Hawkins	NeSmith
Bolton	Davis	Heflin	Nettles
Boston	Doggett	Hester	Paulk
Bowers	Downing	Hogan	Pennington
Branyon	Drake	Holladay	Perry
Brown (Jefferson)	Edgington	Ingram	Pierce
Burnham	Edwards (Escambia)	Jones (Covington)	Posey
Burns	Edwards (Lowndes)	Jones (Monroe)	Powell
Campbell (Jackson)	Engel	Little	Pruitt

Reynolds	Steagall	Thomas	Vacca
Rogers	Stembridge	Turner (Crenshaw)	Wood
Salter	Sullivan	Turner (Limestone)	Young
Scurlock	Teel	Turnham	

—89

H. 933 POSTPONED

On motion of Mr. Rogers, consideration of the bill, H. 933, was postponed until the twenty-eighth legislative day.

And the bill:

H. 932. Relating to the recording of certain maps, plats, and deeds in counties having populations of not less than 300,000 nor more than 600,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cook	Hawkins	Perry
Albea	Cooper	Heflin	Pierce
Avery	Crawford	Hester	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Bassett	Doggett	Ingram	Reynolds
Bethea (B)	Downing	Jones (Covington)	Rogers
Bevill	Drake	Jones (Monroe)	Salter
Blanton	Edington	Little	Scurlock
Bolton	Edwards (Escambia)	Locke	Slate
Boston	Edwards (Lowndes)	McCorquodale	Steagall
Bowers	Engel	McDermott	Stembridge
Branyon	Faulk	Mashburn	Sullivan
Brown (Jefferson)	Fields	Meade	Teel
Burnham	Fite	Meeks	Thomas
Burns	Gilmore	Merrill	Turner (Crenshaw)
Camp	Glass	Morrow	Turner (Limestone)
Campbell (Tuscaloosa)	Goodwyn	Nabors	Turnham
Carr	Grouby	NeSmith	Vacca
Casey	Hain	Nettles	Wood
Cates	Hankins	Paulk	Young
Collins	Hannah	Pennington	

—87

And the bill:

H. 814. (With Amendment). To amend further Act No 678, H. 1364, Regular Session 1961 (Acts 1961, p. 940), an Act regulating the practice of barbering in counties having populations of not less than 300,000 nor more than 500,000.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said committee amendment being as follows:

Amend H. B. 814 by deleting Subsection (a) of Section 7 and substituting in lieu thereof the following:

"(a) Any person who is at least eighteen years of age and of good moral character and temperate habits, who has a license as a practicing barber from another State or County having substantially the same requirements for licensing barbers as are required by this Act, or who can prove by sworn affidavits that he has practiced as a barber in another State for at least five years within the ten (10) years next immediately preceding the making of the application in such county, shall, upon the payment of the required fee, be granted permission to take an examination to determine his fitness to receive a license to practice as a barber. Should he fail to pass the examination, he may, within three (3) months, file a new application, accompanied by the required fee, and take another examination. In no event shall he be permitted to practice barbering until such time as he has passed an examination and complied with all applicable provisions of this Act, and has received a license as a barber."

And the amendment was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Albea	Cornett	Hawkins	Perry
Baker (DeKalb)	Crawford	Heflin	Posey
Baker (Madison)	Daniel	Hester	Powell
Barnett	Davis	Hogan	Pruitt
Bassett	Doggett	Holladay	Reynolds
Bethea (B)	Downing	Ingram	Rogers
Bevill	Drake	Jones (Covington)	Salter
Blanton	Edgington	Jones (Monroe)	Scurlock
Bolton	Edwards (Escambia)	Locke	Slate
Boston	Edwards (Lowndes)	McCorquodale	Steagall
Bowers	Engel	McDermott	Stembridge
Brown (Jefferson)	Faulk	Mashburn	Sullivan
Burnham	Fields	Meade	Teel
Camp	Fite	Merrill	Thomas
Campbell (Tuscaloosa)	Gilmore	Moore	Turner (Greenshaw)
Cantrell	Glass	Morrow	Turner (Limestone)
Carr	Goldthwaite	Nabors	Turnham
Casey	Goodwyn	NeSmith	Vacca
Cates	Grouby	Nettles	Wood
Collins	Hain	Paulk	Young
Cook	Hankins		

—86

And said bill, H. 814, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Bolton	Cates	Drake
Albea	Boston	Collins	Edgington
Avery	Bowers	Cook	Edwards (Escambia)
Baker (DeKalb)	Brown (Jefferson)	Cooper	Edwards (Lowndes)
Baker (Madison)	Burnham	Cornett	Engel
Barnett	Burns	Crawford	Faulk
Bassett	Camp	Daniel	Fields
Bethea (B)	Cantrell	Davis	Fite
Bevill	Carr	Doggett	Gilmore
Blanton	Casey	Downing	Glass

Goldthwaite	Locke	Paulk	Steagall
Goodwyn	McCorquodale	Pennington	Stembridge
Grouby	McDermott	Perry	Sullivan
Hain	Mashburn	Posey	Teel
Hankins	Meade	Powell	Thomas
Hannah	Meeks	Pruitt	Turner (Crenshaw)
Heflin	Merrill	Rast	Turner (Limestone)
Hester	Moore	Reynolds	Turnham
Hogan	Morrow	Rogers	Vacca
Holladay	Nabors	Salter	Wood
Ingram	NeSmith	Scurlock	Young
Jones (Covington)	Nettles	Slate	

—87

And the bill:

H. 929. To amend further Act No. 489, H. 922, Regular Session 1953 (Acts 1953, v. 1, p. 616), an act creating the office of county license inspector in all counties having populations of not less than 225,000 nor more than 400,000, in relation to the compensation of the license inspector and his chief clerk.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Cornett	Heflin	Perry
Albea	Crawford	Hester	Pierce
Baker (DeKalb)	Daniel	Hogan	Posey
Baker (Madison)	Davis	Holladay	Powell
Barnett	Doggett	Ingram	Pruitt
Bassett	Downing	Jones (Covington)	Rast
Bethea (B)	Drake	Jones (Monroe)	Reynolds
Bevill	Edington	Little	Rogers
Blanton	Edwards (Escambia)	Locke	Salter
Bolton	Edwards (Lowndes)	McCorquodale	Scurlock
Boston	Engel	McDermott	Slate
Bowers	Faulk	Meade	Steagall
Brown (Jefferson)	Fite	Mashburn	Stembridge
Burnham	Gilmore	Meeks	Sullivan
Burns	Glass	Merrill	Teel
Camp	Goldthwaite	Moore	Thomas
Cantrell	Goodwyn	Morrow	Turner (Crenshaw)
Carr	Grouby	Nabors	Turner (Limestone)
Casey	Hain	NeSmith	Turnham
Cates	Hankins	Nettles	Vacca
Collins	Hannah	Paulk	Wood
Cook	Hawkins	Pennington	Young
Cooper			

—89

And the bill:

H. 939. (With Amendment). Relating to the fifteenth judicial circuit of Alabama; regulating and prescribing the qualifications of persons engaged in the bail bond business in such circuit; repealing conflicting laws.

Was taken up.

The question was upon the adoption of the amendment reported by

the Standing Committee on Local Legislation No. 1, said committee amendment being as follows:

Amend House Bill 939 by changing paragraph 3 as follows: Section 3. The provisions of Alabama Code, Title 15, Section 201, in conflict with this Act are repealed as to the fifteenth judicial circuit.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hawkins	Perry
Albee	Cornett	Heflin	Pierce
Avery	Crawford	Hester	Posey
Baker (DeKalb)	Daniel	Hogan	Powell
Baker (Madison)	Davis	Holladay	Pruitt
Barnett	Doggett	Ingram	Rast
Bassett	Downing	Jones (Covington)	Reynolds
Bethea (B)	Drake	Jones (Monroe)	Rogers
Bevill	Edington	Little	Salter
Blanton	Edwards (Escambia)	Locke	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Slate
Boston	Engel	Mashburn	Steagall
Bowers	Faulk	Meade	Stembridge
Brown (Jefferson)	Fields	Meeks	Sullivan
Burnham	Fite	Merrill	Teel
Burns	Gilmore	Moore	Thomas
Camp	Glass	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	Nabors	Turner (Limestone)
Cantrell	Goodwyn	NeSmith	Turnham
Carr	Grouby	Nettles	Vacca
Casey	Hain	Paulk	Wood
Collins	Hankins	Pennington	Young
Cook	Hannah		

—90

And said bill, H. 939, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Campbell (Tuscaloosa)	Edwards (Lowndes)	Holladay
Albee	Cantrell	Engel	Ingram
Avery	Carr	Faulk	Jones (Covington)
Baker (DeKalb)	Casey	Fields	Jones (Monroe)
Baker (Madison)	Cates	Fite	Little
Barnett	Collins	Gilmore	Locke
Bassett	Cook	Glass	McCorquodale
Bethea (B)	Cooper	Goldthwaite	McDermott
Bevill	Cornett	Goodwyn	Mashburn
Blanton	Crawford	Grouby	Meade
Bolton	Daniel	Hain	Meeks
Boston	Davis	Hankins	Merrill
Bowers	Doggett	Hannah	Moore
Brown (Jefferson)	Downing	Hawkins	Morrow
Burnham	Drake	Heflin	Nabors
Burns	Edington	Hester	NeSmith
Camp	Edwards (Escambia)	Hogan	Nettles

Paulk	Pruitt	Slate	Turner (Crenshaw)
Pennington	Rast	Steagall	Turner (Limestone)
Perry	Reynolds	Stembridge	Turnham
Pierce	Rogers	Sullivan	Vacca
Posey	Salter	Teel	Wood
Powell	Scurlock	Thomas	Young

—92

And the bill:

H. 879. Relating to counties having populations of not less than 18,000 nor more than 19,000; authorizing county boards of education to furnish certain supplies and services heretofore furnished by the county governing bodies and relieving county governing bodies of the responsibility of furnishing such supplies and services.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hannah	NeSmith
Albea	Cornett	Hawkins	Nettles
Baker (DeKalb)	Crawford	Heflin	Paulk
Baker (Madison)	Daniel	Hester	Pennington
Barnett	Davis	Hogan	Perry
Bassett	Doggett	Holladay	Posey
Bethea (B)	Downing	Ingram	Powell
Bevill	Drake	Jones (Covington)	Pruitt
Blanton	Edington	Jones (Monroe)	Reynolds
Bolton	Edwards (Escambia)	Little	Rogers
Boston	Edwards (Lowndes)	Locke	Salter
Bowers	Engel	McCorquodale	Scurlock
Brown (Jefferson)	Faulk	McDermott	Steagall
Burnham	Fields	Martin	Stembridge
Burns	Fite	Mashburn	Sullivan
Camp	Gilmore	Meade	Teel
Campbell (Tuscaloosa)	Glass	Meeks	Thomas
Cantrell	Goldthwaite	Merrill	Turner (Crenshaw)
Carr	Goodwyn	Moore	Vacca
Casey	Grouby	Morrow	Wood
Cates	Hain	Nabors	Young
Collins	Hankins		

—86

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 699, was adopted.

PASSAGE OF H. 699

And the bill:

H. 699. To provide for and authorize the introduction in evidence in any court in Alabama, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical,

hospital, occupational, disease, injury and disability histories, X-Rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicine, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the filing of said copy with the Clerk or Register of the Court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

Was taken up.

Mr. Callahan offered the following substitute for the bill, H. 699:

Substitute or HB 699

A BILL TO BE ENTITLED AN ACT

To provide for and authorize the introduction in evidence in any court in Alabama, when relevant and material, certified copies of hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, clinical, hospital, occupational, disease, injury and disability histories, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as employees of such hospital, forming a part of such hospital records, as to the health, physical and mental condition, state, sickness, disease, mental and physical disorders, damages, duration and character of disabilities, diagnosis, prognosis, progress, operations, incisions, injuries, wounds, cuts, lacerations, bruises, breaks, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, treatment and care and charge sheets and the costs, expenses, fees and charges therefor and thereof, as to and of a patient in said hospital, when the custodian of such hospital records certifies and affirms in writing that the same are an exact, full, true and correct copy of such hospital records; with the proviso that all circumstances of the making of such hospital records, including lack of personal knowledge by the entrant or maker, may be otherwise shown to affect the weight of such hospital records but they shall not affect their admissibility; and to provide for the filing of said copy with the Clerk or Register of the Court having jurisdiction of the suit or proceeding, and to provide for subpoena duces tecum therefor.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. When the original would be admissible in any suit or proceeding in a court of Alabama in any such county, a certified copy of the hospital records of any hospital organized or operated under or pursuant to the laws of Alabama, including records of admission, medical, hospi-

tal, occupational, disease, injury and disability histories, temperature and other charts, X-rays and written interpretations thereof, pictures, photographs, files, written orders, directions, findings and reports and interpretations of physicians, doctors, surgeons, pathologists, radiologists, specialists, dentists, technicians and nurses, as well as of all employees of such hospital, forming a part of such hospital records as to the health, condition, state, injuries, sickness, disease, mental, physical and nervous disorders, duration and character of disabilities, diagnosis, prognosis, progress, wounds, cuts, contusions, lacerations, breaks, loss of blood, incisions, operations, injuries, examinations, tests, transfusions, hospitalization and duration thereof, medication, medicines, supplies, treatment and care and the cost, expenses, fees and charges therefor and thereof, a part of or shown on or in said hospital records of any patient in said hospital when certified and affirmed by the custodian of said hospital records as herein provided, shall be admissible in evidence without further proof in any court in Alabama in any such county where material and relevant, if and when said hospital records were made and kept in the usual and regular course of business of said hospital and it was in the regular course of business of said hospital to make and keep said records and that said records were made at the time of such acts, transactions, occurrences or events therein referred to occurred or arose or were made, or within a reasonable time thereafter.

Section 2. A certified copy of said hospital records may be procured by any litigant in any court of competent jurisdiction in Alabama in any such county by subpoena duces tecum and when any such subpoena duces tecum is issued for said hospital records the custodian of said hospital records shall prepare a copy of said hospital records as herein provided and securely seal the same in an envelope or other container and date and fill out and sign a certificate in substantially the form in this Act provided and place on, or securely fasten said certificate to the outside of said envelope or container in which said copy of said hospital records are placed and deliver the same to the Clerk or Register of the Court hearing or to hear or to try the suit or proceeding in which the records are sought and he shall not otherwise be required to appear in Court unless thereafter ordered to do so by the Court. Said envelope or container in which the copy of the hospital records are enclosed shall not be opened until ordered published by the Court trying the case at the time of the trial. When so prepared and certified the copy of said hospital records shall be admissible in evidence in any court in Alabama in any such county, if and when relevant and material, in prima facie proof of the facts therein shown just as if otherwise verified and just as if the copy was the original. The copy of the hospital records may be photostated, photographed or made by microphotographic plate or film or otherwise made so long as clear and easily legible. All the circumstances of the making of such hospital records, including lack of personal knowledge of the entrant or maker of such hospital records may otherwise be known to affect the weight of such hospital records but this shall not affect their admissibility.

For preparing a copy of such hospital records the Clerk or Register shall tax as costs twenty-five cents for each page of said hospital records and \$2.50 for making the certificate affixed or appended thereto which charges shall be taxed as costs in the suit or proceeding in which such hospital records were subpoenaed and said costs shall abide the result of the suit or proceeding and shall be taxed and collected as other costs are taxed and collected.

Section 3. The certificate of the custodian of the hospital records herein provided for shall show the name of the parties to the suit or proceeding and the name of the Court to which made, by appropriate caption, and said certificate shall be in form in substance as follows, to-wit:

"I, _____ hereby certify and affirm in writing that I am _____ of the _____ Hospital, a hospital organized or operated pursuant to or under the laws of Alabama, located at _____, Alabama, and that I am the custodian of the hospital records of said hospital and that the within copy of said hospital records are an exact, full, true and correct copy of said hospital records pertaining to _____.

"I further certify that I am familiar with and know, and knew when made and charged, the reasonable value and price for the various charges made and shown in said hospital records pertaining to _____ and that said charges are in my judgment just, reasonable and proper and in keeping with those generally charged in the county and community where said hospital is located."

All of which hereby certify and affirm on this ____ day of _____, 19__."

Section 4. All laws or parts of laws which conflict with this Act are repealed.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Crawford	Hawkins	Perry
Albea	Daniel	Hester	Pierce
Bailes	Davis	Hogan	Posey
Baker (DeKalb)	Doggett	Ingram	Powell
Baker (Madison)	Downing	Jones (Covington)	Pruitt
Barnett	Drake	Jones (Monroe)	Reynolds
Bassett	Edington	Locke	Rogers
Bethea (B)	Edwards (Escambia)	McCorquodale	Salter
Bevill	Edwards (Lowndes)	McDermott	Scurlock
Bolton	Engel	Martin	Slate
Brown (Jefferson)	Etheredge	Mashburn	Steagall
Burnham	Faulk	Meade	Stembridge
Burns	Fields	Meeks	Sullivan
Callahan	Fite	Merriii	Tee!
Camp	Gilmore	Moore	Thomas
Campbell (Tuscaloosa)	Glass	Morrow	Turner (Crenshaw)
Cantrell	Goldthwaite	Nabors	Turner (Limestone)
Carr	Goodwyn	NeSmith	Turnham
Casey	Grouby	Nettles	Vacca
Collins	Hain	Paulk	Wood
Cooper	Hankins	Pennington	Young
Cornett	Hannah		

—86

And said bill, H. 699, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Cornett	Hannah	Pennington
Albea	Crawford	Hawkins	Perry
Bailes	Davis	Hester	Pierce
Baker (DeKalb)	Doggett	Hogan	Posey
Baker (Madison)	Downing	Ingram	Powell
Barnett	Drake	Jones (Covington)	Pruitt
Bassett	Edington	Jones (Monroe)	Reynolds
Bethea (B)	Edwards (Escambia)	Little	Rogers
Bevill	Edwards (Lowndes)	Locke	Salter
Blanton	Engel	McCorquodale	Scurlock
Bolton	Etheredge	McDermott	Slate
Branyon	Faulk	Martin	Steagall
Brown (Jefferson)	Fields	Mashburn	Stembridge
Burnham	Fite	Meade	Sullivan
Callahan	Gilmore	Meeks	Teel
Camp	Glass	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	Moore	Turner (Limestone)
Carr	Goodwyn	Morrow	Turnham
Casey	Grouby	Nabors	Vacca
Cates	Hain	NeSmith	Wood
Collins	Hankins	Paulk	Young
Cooper			

—85

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Callahan to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 947, was adopted.

PASSAGE OF H. 947

And the bill:

H. 947. To provide for the creation of the University of Alabama Medical Center and to prescribe its function and powers.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Campbell (Jackson)	Engel	Little
Albea	Campbell (Tuscaloosa)	Faulk	Locke
Bailes	Carr	Fields	McCorquodale
Baker (DeKalb)	Casey	Fite	McDermott
Baker (Madison)	Collins	Gilmore	Martin
Barnett	Cook	Glass	Mashburn
Bassett	Cooper	Grouby	Meade
Bethea (B)	Cornett	Hain	Meeks
Bevill	Crawford	Hankins	Merrill
Blanton	Davis	Hannah	Moore
Bolton	Doggett	Heflin	Morrow
Boston	Dominick	Hester	Nabors
Bowers	Drake	Hogan	NeSmith
Branyon	Edington	Ingram	Paulk
Brown (Jefferson)	Edwards (Escambia)	Jones (Covington)	Pennington
Burnham	Edwards (Lowndes)	Jones (Monroe)	Perry

Posey	Rogers	Stembridge	Turner (Limestone)
Powell	Salter	Sullivan	Turnham
Pruitt	Scurlock	Teel	Vacca
Rast	Slate	Thomas	Wood
Reynolds	Steagall	Turner (Crenshaw)	Young

—84

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Nettles to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 859, was adopted.

PASSAGE OF H. 859

And the bill:

H. 859. To amend Section 172 of Title 2 of the Code of Alabama of 1940 relating to the annual permit required for the operation of a cotton gin.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 1.

Yeas:

Mr. Speaker	Cook	Hannah	Pennington
Albea	Crawford	Heflin	Perry
Baker (DeKalb)	Daniel	Hester	Posey
Baker (Madison)	Doggett	Hogan	Powell
Barnett	Downing	Ingram	Pruitt
Bassett	Drake	Jones (Covington)	Rogers
Bevill	Edgington	Jones (Monroe)	Salter
Blanton	Edwards (Escambia)	Little	Scurlock
Bolton	Edwards (Lowndes)	McCorquodale	Slate
Boston	Engel	McDermott	Steagall
Bowers	Faulk	Martin	Stembridge
Branyon	Fields	Mashburn	Sullivan
Brown (Jefferson)	Fite	Meade	Teel
Burns	Gilmore	Meeks	Thomas
Camp	Glass	Merrill	Turner (Crenshaw)
Campbell (Tuscaloosa)	Goldthwaite	Moore	Turnham
Cantrell	Goodwyn	Nabors	Vacca
Casey	Crouby	NeSmith	Wood
Cates	Hain	Nettles	Young
Collins	Hankins		

—78

Nay:

Mr. Carr

—1

And the bill:

H. 921. To make an additional appropriation for payment of expenses of the Legislature.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nays 5.

Yeas:

Mr. Speaker	Cook	Hankins	Pierce
Albea	Cooper	Hannah	Posey
Baker (DeKalb)	Cornett	Heflin	Powell
Baker (Madison)	Crawford	Hester	Pruitt
Barnett	Daniel	Hogan	Rast
Bussett	Davis	Holladay	Reynolds
Bevill	Doggett	Ingram	Rogers
Blanton	Downing	Jones (Monroe)	Salter
Bolton	Drake	Little	Scurlock
Boston	Edington	McCorquodale	Steagall
Bowers	Edwards (Escambia)	McDermott	Stembridge
Branyon	Edwards (Lowndes)	Martin	Sullivan
Brown (Jefferson)	Engel	Mashburn	Teel
Brown (Tuscaloosa)	Faulk	Meade	Thomas
Burnham	Fite	Merrill	Turner (Crenshaw)
Camp	Gilmore	Moore	Turner (Limestone)
Campbell (Tuscaloosa)	Glass	Nabors	Turnham
Cantrell	Goldthwaite	NeSmith	Vacca
Casey	Goodwyn	Nettles	Wood
Cates	Grouby	Paulk	Young
Collins	Hain	Pennington	

—83

Nays:

Messrs.	Hawkins	Morrow	Perry
Bailes	Jones (Covington)		

—5

And the bill:

H. 402. (With Substitute). To make an appropriation for the relief of Mrs. Robert W. Fobes.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE TO H. B. 402

**A BILL
TO BE ENTITLED
AN ACT**

To make an appropriation for the relief of Mrs. Robert W. Fobes.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The sum of ten thousand dollars (\$10,000) is hereby appropriated from any funds in the state treasury not otherwise appropriated, to the use and for the benefit of Mrs. Robert W. Fobes of Mobile County. The state comptroller is directed to draw his warrant therefor upon the requisition of Mrs. Robert W. Forbes. The Legislature finds and declares that the said sum of money is justly due to Mrs. Robert W. Fobes for the death of her husband Robert W. Fobes which occurred in Mobile County in 1962, while an employee of Fort Whiting Armory, an Alabama Army National Guard installation, and in the line of and in the course of his employment and under circumstances constituting a moral but legally unenforceable claim by Mrs. Fobes against the state.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Casey	Hain	Perry
Bailes	Cates	Hankins	Posey
Baker (DeKalb)	Cook	Hawkins	Powell
Barnett	Cooper	Hester	Pruitt
Bassett	Crawford	Hogan	Reynolds
Bethea (B)	Daniel	Ingram	Rogers
Bevill	Davis	Jones (Covington)	Scurlock
Blanton	Doggett	McCorquodale	Sessions
Boston	Downing	McDermott	Steagall
Branyon	Drake	Mashburn	Stembridge
Brown (Jefferson)	Edington	Meade	Sullivan
Brown (Tuscaloosa)	Edwards (Escambia)	Meeks	Thomas
Burns	Edwards (Lowndes)	Nabors	Turner (Crenshaw)
Callahan	Engel	NeSmith	Turnham
Campbell (Tuscaloosa)	Fields	Nettles	Vacca
Cantrell	Fite	Owens	Wood
Carr	Glass	Paulk	Young

—68

And said bill, H. 402, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 54; Nays 10.

Yeas:

Mr. Speaker	Davis	Hawkins	Perry
Bailes	Downing	Hester	Posey
Baker (DeKalb)	Drake	Hogan	Pruitt
Baker (Madison)	Edington	Ingram	Reynolds
Barnett	Edwards (Escambia)	Jones (Covington)	Rogers
Bassett	Edwards (Lowndes)	McDermott	Scurlock
Bevill	Engel	Mashburn	Steagall
Branyon	Fields	Meade	Sullivan
Brown (Tuscaloosa)	Fite	Nabors	Thomas
Callahan	Gilmore	NeSmith	Turner (Crenshaw)
Cantrell	Goodwyn	Owens	Vacca
Cates	Grouby	Paulk	Wood
Cook	Hain	Pennington	Young
Cooper	Hankins		

—54

Nays:

Messrs.	Brown (Jefferson)	Heflin	Slate
Bethea (M)	Carr	Holladay	Teel
Bolton	Crawford	Locke	

—10

And the bill:

H. 703. (With Substitute). Relating to elections; to provide for payment of expenses accrued in relation to the constitutional amendment election called for Tuesday, August 13, 1963.

Was taken up.

The question was upon the adoption of the substitute reported by the Standing Committee on Ways and Means, said committee substitute being as follows:

SUBSTITUTE FOR H. B. 703

A BILL TO BE ENTITLED AN ACT

Relating to elections; to provide for payment of expenses accrued in relation to the constitutional amendment election called for Tuesday, August 13, 1963.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The several counties of the State are hereby authorized and directed to pay from general funds all expenses and costs accrued in respect of or incidental to the constitutional amendment election set for Tuesday, August 13, 1963, which was aborted by order of the Legislature in House Joint Resolution No. 86 adopted July 16, 1963. One-half of all sums expended by the counties for such purposes shall be reimbursable by the State in the manner prescribed in Alabama Code 1958, Title 17, Chapter 4.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 57; Nays 13.

Yeas:

Mr. Speaker	Daniel	Hogan	Posey
Albea	Davis	Holladay	Pruitt
Baker (DeKalb)	Downing	Ingram	Rast
Barnett	Drake	Jones (Monroe)	Reynolds
Bassett	Edington	McDermott	Scurlock
Bevill	Edwards (Escambia)	Mashburn	Sessions
Boston	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Sullivan
Burnham	Fields	Merrill	Teel
Burns	Fite	NeSmith	Thomas
Campbell (Tuscaloosa)	Glass	Nettles	Turner (Limestone)
Cantrell	Hain	Owens	Vacca
Carr	Hankins	Pennington	Wood
Collins	Hester	Perry	Young
Crawford			

—57

Nays:

Messrs.	Cook	Jones (Covington)	Stembridge
Bolton	Doggett	Paulk	Turner (Crenshaw)
Camp	Hannah	Powell	Turnham
Campbell (Jackson)	Heflin		

—13

And the bill, H. 703, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 7.

Yeas:

Mr. Speaker	Carr	Hawkins	Pennington
Albea	Cates	Heflin	Perry
Avery	Collins	Hester	Pierce
Bailes	Daniel	Hogan	Posey
Baker (DeKalb)	Davis	Holladay	Powell
Baker (Madison)	Doggett	Ingram	Pruitt
Barnett	Downing	Jones (Monroe)	Rast
Bassett	Drake	Little	Reynolds
Bethea (B)	Edington	Locke	Rogers
Bevill	Edwards (Escambia)	McDermott	Scurlock
Blanton	Engel	Martin	Sessions
Bolton	Etheredge	Mashburn	Steagall
Boston	Faulk	Meade	Stembridge
Branyon	Fields	Meeks	Sullivan
Brown (Jefferson)	Fite	Merrill	Teel
Brown (Tuscaloosa)	Gilmore	Moore	Thomas
Burnham	Goldthwaite	Morrow	Turner (Crenshaw)
Burns	Goodwyn	Nabors	Turner (Limestone)
Camp	Hain	NeSmith	Wood
Campbell (Jackson)	Hankins	Nettles	Vacca
Campbell (Tuscaloosa)	Hannah	Owens	Young
Cantrell			

—85

Nays:

Messrs.	Cooper	Dominick	Paulk
Cook	Cornett	Jones (Covington)	Turnham

—7

And the bill:

H. 762. To amend Code of Alabama 1940, Title 16, Section 1, which relates to descent of real estate of persons dying intestate.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Brown (Jefferson)	Davis	Hain
Albea	Brown (Tuscaloosa)	Doggett	Hankins
Avery	Burnham	Downing	Hannah
Bailes	Burns	Drake	Heflin
Baker (DeKalb)	Camp	Edington	Hester
Baker (Madison)	Campbell (Jackson)	Edwards (Escambia)	Hogan
Barnett	Cantrell	Edwards (Lowndes)	Holladay
Bassett	Carr	Engel	Ingram
Bethea (B)	Cates	Faulk	Jones (Covington)
Bevill	Collins	Fite	Jones (Monroe)
Blanton	Cooper	Gilmore	Little
Bolton	Cornett	Glass	Locke
Boston	Crawford	Goldthwaite	McDermott
Branyon	Daniel	Goodwyn	Mashburn

Meade	Owens	Reynolds	Thomas
Meeks	Paulk	Rogers	Turner (Crenshaw)
Merrill	Pennington	Scurlock	Turner (Limestone)
Moore	Perry	Sessions	Turnham
Morrow	Pierce	Steagall	Vacca
Nabors	Posey	Stembridge	Wood
NeSmith	Powell	Sullivan	Young
Nettles	Rast	Teel	

—87

And the bill:

H. 421. To amend Act No. 396 Regular Session 1957 approved September 4, 1957, relating to the Alabama Uniform Gifts To Minors Act providing that savings and loan associations expressly come within the purview of said Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cooper	Hankins	Perry
Albea	Cornett	Hannah	Pierce
Avery	Crawford	Heflin	Posey
Barnett	Daniel	Hester	Powell
Bassett	Davis	Hogan	Rast
Bethea (B)	Doggett	Holladay	Reynolds
Bethea (M)	Dominick	Ingram	Rogers
Bevill	Downing	Jones (Corington)	Salter
Blanton	Drake	Jones (Monroe)	Scurlock
Bolton	Edington	Little	Sessions
Boston	Edwards (Escambia)	Locke	Steagall
Bowers	Edwards (Lowndes)	McDermott	Stembridge
Branyon	Engel	Mashburn	Sullivan
Brown (Jefferson)	Etheredge	Meade	Teel
Burnham	Faulk	Meeks	Thomas
Burns	Fields	Merrill	Turner (Crenshaw)
Campbell (Jackson)	Fite	Morrow	Turner (Limestone)
Cantrell	Gilmore	Nabors	Turnham
Carr	Glass	NeSmith	Vacca
Casey	Goldthwaite	Nettles	Wood
Cates	Goodwyn	Owens	Young
Cook	Hain	Paulk	

—87

And the bill:

H. 610. To fix the compensation of Circuit Solicitors Payable from the State Treasury.

Was taken up.

Mr. Steagall offered the following amendment to the bill, H. 610:

Amendment to HB 610

Amend HB 610 by striking therefrom the words "fifteen thousand dollars" and substituting in lieu thereof the words and figures "thirteen thousand five hundred dollars (\$13,500.00).

And the amendment was adopted.

Yeas 74; Nays 10.

Yeas:

Mr. Speaker	Cook	Hester	Pierce
Bailes	Cooper	Hogan	Posey
Baker (DeKalb)	Cornett	Holladay	Powell
Baker (Madison)	Daniel	Jones (Monroe)	Rast
Barnett	Davis	Locke	Reynolds
Bassett	Downing	McDermott	Rogers
Bethea (B)	Drake	Mashburn	Scurlock
Bevill	Edington	Meade	Steagall
Blanton	Edwards (Escambia)	Meeks	Stembridge
Bolton	Engel	Merrill	Sullivan
Brown (Jefferson)	Etheredge	Moore	Teel
Burnham	Faulk	Morrow	Thomas
Burns	Fite	Nabors	Turner (Crenshaw)
Callahan	Gilmore	NeSmith	Turner (Limestone)
Camp	Goodwyn	Nettles	Turnham
Campbell (Jackson)	Hain	Paulk	Vacca
Cantrell	Hankins	Pennington	Wood
Carr	Hannah	Perry	Young
Casey	Hawkins		

—74

Nays:

Messrs.	Brown (Tuscaloosa)	Goldthwaite	Little
Avery	Crawford	Ingram	Salter
Boston	Edwards (Lowndes)	Jones (Covington)	

—10

And said bill, H. 610, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 73; Nays 17.

Yeas:

Mr. Speaker	Collins	Hannah	Perry
Bailes	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Hester	Posey
Baker (Madison)	Cornett	Hogan	Rast
Bassett	Crawford	Jones (Monroe)	Reynolds
Bethea (B)	Daniel	Locke	Rogers
Bevill	Davis	Mashburn	Sessions
Blanton	Doggett	McDermott	Steagall
Bolton	Downing	Meade	Stembridge
Boston	Drake	Meeks	Sullivan
Bowers	Edington	Merrill	Teel
Brown (Jefferson)	Engel	Moore	Thomas
Burnham	Etheredge	Morrow	Turner (Crenshaw)
Burns	Faulk	Nabors	Turner (Limestone)
Callahan	Fite	NeSmith	Turnham
Camp	Gilmore	Nettles	Vacca
Campbell (Jackson)	Goodwyn	Paulk	Wood
Cantrell	Hain	Pennington	Young
Carr			

—73

Nays:

Messrs.	Brown (Tuscaloosa)	Hankins	Little
Albea	Casey	Heflin	Owens
Avery	Cates	Ingram	Powell
Barnett	Glass	Jones (Covington)	Scurlock
Branyon	Goldthwaite		

—17

And the bill:

H. 582. To provide for the punishment of an Attempt to Commit Burglary in the First Degree, Burglary in the Second Degree, Burglary in a Railroad Car and Burglary of a Motor Vehicle.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 76; Nays 8.

Yeas:

Mr. Speaker	Cook	Hain	Nettles
Albea	Cooper	Hannah	Owens
Bailes	Crawford	Hawkins	Paulk
Baker (DeKalb)	Daniel	Hester	Pennington
Baker (Madison)	Doggett	Hogan	Perry
Barnett	Dominick	Holladay	Pierce
Bassett	Downing	Ingram	Rast
Bevill	Drake	Jones (Covington)	Reynolds
Blanton	Edington	Jones (Monroe)	Rogers
Boston	Edwards (Escambia)	Little	Sessions
Brown (Jefferson)	Edwards (Lowndes)	Locke	Steagall
Burnham	Engel	McCorquodale	Sullivan
Burns	Etheredge	McDermott	Teel
Callahan	Faulk	Mashburn	Thomas
Campbell (Jackson)	Fite	Meeks	Turner (Crenshaw)
Cantrell	Gilmore	Merrill	Turner (Limestone)
Casey	Glass	Morrow	Turnham
Cates	Goldthwaite	Nabors	Vacca
Collins	Goodwyn	NeSmith	Wood

—76

Nays:

Messrs.	Cornett	Hankins	Powell
Bolton	Davis	Heflin	Slate
Branyon			

—8

And the bill:

H. 584. To amend Section 124 of Title 14 of the Code of Alabama of 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 82; Nays 4.

Yeas:

Mr. Speaker	Cooper	Hannah	Pennington
Albea	Crawford	Hester	Perry
Avery	Daniel	Hogan	Pierce
Bailes	Davis	Holladay	Pruitt
Baker (DeKalb)	Doggett	Ingram	Rast
Baker (Madison)	Dominick	Jones (Covington)	Reynolds
Bassett	Downing	Jones (Monroe)	Rogers
Bevill	Drake	Little	Scurlock
Blanton	Edington	Locke	Sessions
Boston	Edwards (Escambia)	McDermott	Slate
Branyon	Edwards (Lowndes)	Martin	Steagall
Brown (Jefferson)	Engel	Meeks	Stembridge
Burnham	Etheredge	Merrill	Sullivan
Burns	Faulk	Moore	Teel
Campbell (Jackson)	Gilmore	Morrow	Thomas
Campbell (Tuscaloosa)	Glass	Nabors	Turner (Crenshaw)
Cantrell	Goldthwaite	NeSmith	Turner (Limestone)
Casey	Goodwyn	Nettles	Turnham
Collins	Hain	Owens	Vacca
Cook	Hankins	Paulk	Wood

—82

Nays:

Messrs.			
Bolton	Bowers	Cornett	Powell

—4

And the bill:

H. 586. To amend Section 415 of Title 14 of the Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 46; Nays 40.

Yeas:

Mr. Speaker	Cook	Jones (Covington)	Perry
Albea	Crawford	Little	Pierce
Baker (DeKalb)	Davis	Locke	Pruitt
Baker (Madison)	Dominick	McDermott	Rast
Bassett	Downing	Mashburn	Rogers
Bevill	Edwards (Escambia)	Meeks	Sessions
Brown (Jefferson)	Edwards (Lowndes)	Merrill	Sullivan
Burnham	Etheredge	Morrow	Thomas
Burns	Goldthwaite	Nabors	Turner (Crenshaw)
Callahan	Goodwyn	NeSmith	Turner (Limestone)
Casey	Grouby	Owens	Wood
Cates	Hogan		

—46

Nays:

Messrs.	Boston	Campbell (Tuscaloosa)	Doggett
Avery	Bowers	Cantrell	Drake
Bailes	Branyon	Carr	Edington
Bethea (B)	Brown (Tuscaloosa)	Cooper	Engel
Bethea (M)	Camp	Cornett	Fite
Bolton	Campbell (Jackson)	Daniel	Hankins

Hannah	McCorquodale	Paulk	Slate
Hawkins	Martin	Pennington	Steagall
Heflin	Moore	Posey	Stembridge
Hester	Nettles	Scurlock	Turnham
Ingram			

—40

And the bill:

H. 587. To amend Section 240 of Title 13 of the Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 24.

Yeas:

Mr. Speaker	Cates	Hogan	Posey
Albea	Cook	Little	Pruitt
Bailes	Daniel	Locke	Rast
Baker (DeKalb)	Downing	Mashburn	Reynolds
Bassett	Drake	Meeks	Rogers
Bevill	Edington	Merrill	Scurlock
Bolton	Engel	Moore	Steagall
Boston	Etheredge	Morrow	Sullivan
Brown (Jefferson)	Faulk	Nabors	Teel
Burnham	Fite	NeSmith	Thomas
Burns	Glass	Nettles	Turner (Crenshaw)
Callahan	Goldthwaite	Owens	Turner (Limestone)
Camp	Goodwyn	Perry	Turnham
Campbell (Jackson)	Grouby	Pierce	Wood
Cantrell	Hain		

—58

Nays:

Messrs.	Carr	Hannah	McCorquodale
Avery	Casey	Hawkins	Paulk
Bethea (B)	Cooper	Heflin	Pennington
Bowers	Crawford	Hester	Powell
Branyon	Doggett	Ingram	Sessions
Brown (Tuscaloosa)	Hankins	Jones (Covington)	Stembridge
Campbell (Tuscaloosa)			

—24

And the bill:

H. 588. To amend Section 33 of Title 14 of the Code of Alabama 1940.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 62; Nays 20.

Yeas:

Mr. Speaker	Baker (Madison)	Bevill	Burnham
Albea	Barnett	Blanton	Burns
Bailes	Bassett	Boston	Callahan
Baker (DeKalb)	Bethea (M)	Brown (Jefferson)	Campbell (Jackson)

Cantrell	Engel	McDermott	Posey
Cates	Glass	Mashburn	Pruitt
Cornett	Goldthwaite	Meeks	Rast
Crawford	Goodwyn	Merrill	Reynolds
Daniel	Grouby	Morrow	Rogers
Davis	Hain	Nabors	Scurlock
Dominick	Hannah	NeSmith	Sullivan
Downing	Hester	Owens	Thomas
Drake	Hogan	Pennington	Turner (Crenshaw)
Edington	Little	Perry	Turner (Limestone)
Edwards (Escambia)	Locke	Pierce	Wood
Edwards (Lowndes)	McCorquodale		

—62

Nays:

Messrs.	Cooper	Jones (Covington)	Slate
Bolton	Doggett	Moore	Steagall
Branyon	Hankins	Nettles	Stembridge
Camp	Hawkins	Paulk	Teel
Carr	Ingram	Powell	Turnham
Casey			

—20

H. 589 POSTPONED

The motion of Mr. Goodwyn to lay on the table the motion of Mr. Powell to postpone consideration of the bill, H. 589, until the twenty-eighth legislative day, was lost.

Yeas 40; Nays 47.

Yeas:

Mr. Speaker	Burnham	Grouby	Perry
Albea	Camp	Hawkins	Pierce
Baker (DeKalb)	Casey	Heflin	Rast
Barnett	Cook	Ingram	Rogers
Bassett	Dominick	Mashburn	Teel
Bevill	Downing	Merrill	Thomas
Blanton	Drake	Morrow	Turner (Crenshaw)
Bolton	Edwards (Escambia)	Nabors	Turner (Limestone)
Brown (Jefferson)	Edwards (Lowndes)	Owens	Vacca
Brown (Tuscaloosa)	Goodwyn	Pennington	Wood

—40

Nays:

Messrs.	Cooper	Hankins	Nettles
Avery	Cornett	Hannah	Paulk
Bailes	Crawford	Hester	Posey
Bethea (B)	Davis	Hogan	Powell
Boston	Doggett	Jones (Covington)	Pruitt
Bowers	Edington	Little	Reynolds
Branyon	Faulk	McCorquodale	Salter
Burns	Fields	McDermott	Scurlock
Campbell (Jackson)	Fite	Martin	Slate
Campbell (Tuscaloosa)	Glass	Meeks	Steagall
Cantrell	Goldthwaite	Moore	Stembridge
Carr	Hain	NeSmith	Turnham

—47

And the motion of Mr. Powell to postpone consideration of the bill, H. 589, until the twenty-eighth legislative day was adopted.

Yeas 56; Nays 33.

Yeas:

Messrs.	Cornett	Hawkins	Paulk
Avery	Crawford	Heflin	Posey
Bailes	Daniel	Hester	Powell
Bethea (B)	Davis	Hogan	Pruitt
Bethea (M)	Doggett	Ingram	Rogers
Bolton	Edington	Jones (Covington)	Scurlock
Boston	Edwards (Escambia)	Little	Sessions
Bowers	Edwards (Lowndes)	McCorquodale	Slate
Branyon	Faulk	McDermott	Steagall
Brown (Tuscaloosa)	Fite	Martin	Stembridge
Campbell (Jackson)	Goldthwaite	Meade	Sullivan
Cantrell	Hain	Moore	Thomas
Carr	Hankins	Nettles	Turnham
Cates	Hannah	Owens	Vacca
Cooper			

—65

Nays:

Mr. Speaker	Camp	Goodwyn	Pierce
Albea	Campbell (Tuscaloosa)	Grouby	Rast
Baker (DeKalb)	Casey	Mashburn	Reynolds
Barnett	Cook	Merrill	Salter
Bassett	Dominick	Nabors	Teel
Bevill	Downing	NeSmith	Turner (Crenshaw)
Brown (Jefferson)	Drake	Pennington	Turner (Limestone)
Burnham	Glass	Perry	Wood
Burns			

—33

And the bill:

H. 590. To amend Section 331 of Title 14 of the Code of Alabama 1940.

Was taken up.

Mr. Teel offered the following amendment to the bill, H. 590:

Amendment to H.B. 590

Amend Section 1 by adding immediately after the word "jennet" the words "or dog of the value of twenty-five dollars or more".

And the amendment was adopted.

Yeas 79; Nays 5.

Yeas:

Mr. Speaker	Bevill	Burns	Cates
Albea	Blanton	Campbell (Jackson)	Collins
Avery	Branyon	Campbell (Tuscaloosa)	Cooper
Barnett	Brown (Jefferson)	Cantrell	Cornett
Bassett	Brown (Tuscaloosa)	Carr	Crawford
Bethea (M)	Burnham	Casey	Daniel

Davis	Grouby	Merrill	Rast
Doggett	Hain	Moore	Reynolds
Dominick	Hankins	Morrow	Rogers
Downing	Heflin	Nabors	Scurlock
Edington	Hogan	NeSmith	Sessions
Edwards (Escambia)	Ingram	Nettles	Steagall
Edwards (Lowndes)	Jones (Covington)	Owens	Stembridge
Engel	Little	Paulk	Teel
Faulk	Locke	Pennington	Thomas
Fields	McCorquodale	Perry	Turner (Crenshaw)
Fite	McDermott	Pierce	Turner (Limestone)
Glass	Mashburn	Posey	Vacca
Goldthwaite	Meade	Powell	Wood
Goodwyn	Meeks	Pruitt	

—79

Nays:

Messrs.	Bolton	Martin	Slate
Baker (DeKalb)	Drake		

—5

And said bill, H. 590, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 10.

Yeas:

Mr. Speaker	Collins	Heflin	Owens
Albea	Crawford	Hester	Pennington
Avery	Daniel	Holladay	Perry
Barnett	Doggett	Ingram	Pierce
Bassett	Dominick	Jones (Covington)	Rogers
Bevill	Downing	Jones (Monroe)	Scurlock
Blanton	Edington	Little	Sessions
Bolton	Edwards (Escambia)	Locke	Slate
Bowers	Edwards (Lowndes)	McCorquodale	Steagall
Brown (Jefferson)	Engel	McDermott	Stembridge
Brown (Tuscaloosa)	Faulk	Meade	Sullivan
Burnham	Fields	Meeks	Teel
Burns	Fite	Merrill	Thomas
Campbell (Jackson)	Gilmore	Morrow	Turner (Crenshaw)
Campbell (Tuscaloosa)	Glass	Nabors	Turner (Limestone)
Cantrell	Goldthwaite	NeSmith	Vacca
Carr	Goodwyn	Nettles	Wood
Casey	Hain		

—70

Nays:

Messrs.	Bethea (B)	Hawkins	Powell
Bailes	Drake	Martin	Turnham
Baker (DeKalb)	Hankins	Paulk	

—10

And the bill:

H. 591. To amend Section 334 of Title 14 of the Code of Alabama 1940.

Was taken up.

Mr. Teel offered the following amendment to the bill H. 591:

Amendment to H.B. 591

Amend Section 1 by adding immediately after the words "or any person who steals a dog" the words "of the value of less than twenty-five dollars".

And the amendment was adopted.

Yeas 72; Nays 2.

Yeas:

Mr. Speaker	Cates	Heflin	Perry
Albea	Collins	Hester	Pierce
Bailes	Cooper	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Rast
Baker (Madison)	Davis	Ingram	Reynolds
Barnett	Doggett	Jones (Monroe)	Rogers
Bassett	Dominick	Little	Scurlock
Bevill	Downing	Locke	Sessions
Boston	Edington	McCorquodale	Slate
Bowers	Edwards (Escambia)	McDermott	Steagall
Brown (Jefferson)	Edwards (Lowndes)	Meade	Stembridge
Brown (Tuscaloosa)	Gilmore	Meeks	Teel
Burnham	Glass	Morrow	Thomas
Burns	Goldthwaite	Nabors	Turner (Limestone)
Campbell (Jackson)	Goodwyn	NeSmith	Turnham
Campbell (Tuscaloosa)	Grouby	Nettles	Vacca
Cantrell	Hain	Paulk	Wood
Casey	Hannah	Pennington	

—72

Nays:

Messrs.	Bolton	Hawkins
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—2

And said bill, H. 591, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 8.

Yeas:

Mr. Speaker	Cates	Hain	Nettles
Albea	Collins	Hannah	Owens
Baker (DeKalb)	Cook	Heflin	Paulk
Baker (Madison)	Crawford	Hester	Pennington
Barnett	Daniel	Hogan	Perry
Bassett	Davis	Holladay	Pierce
Bevill	Doggett	Ingram	Rast
Blanton	Dominick	Jones (Covington)	Rogers
Bolton	Downing	Jones (Monroe)	Scurlock
Boston	Edington	Little	Sessions
Bowers	Edwards (Escambia)	Locke	Steagall
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Stembridge
Brown (Tuscaloosa)	Fields	McDermott	Sullivan
Burnham	Fite	Mashburn	Teel
Burns	Gilmore	Meade	Thomas
Campbell (Jackson)	Glass	Meeks	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Morrow	Vacca
Cantrell	Goodwyn	Nabors	Wood
Casey	Grouby	NeSmith	

—75

Nays:

Messrs.	Cooper	Moore	Slate
Bailes	Hawkins	Powell	Turnham
Bethea (B)			

—8

And the bill:

H. 541. To raise revenue; imposing a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts; fixing the rate of the tax and providing for collection, enforcement, and distribution thereof.

Was taken up.

The motion of Mr. Rast to indefinitely postpone the bill, H. 541, was lost.

Yeas 38; Nays 49.

Yeas:

Messrs.	Casey	Goldthwaite	Perry
Albea	Cates	Jones (Covington)	Pierce
Bailes	Collins	Little	Pruitt
Barnett	Cornett	Locke	Rast
Bethea (B)	Doggett	McDermott	Rogers
Bethea (M)	Dominick	Mashburn	Sessions
Bowers	Downing	Morrow	Steagall
Brown (Jefferson)	Edington	Nettles	Turner (Limestone)
Burnham	Etheredge	Paulk	Vacca
Campbell (Tuscaloosa)	Fields	Pennington	

—38

Nays:

Mr. Speaker	Carr	Hannah	NeSmith
Avery	Cooper	Heflin	Owens
Baker (DeKalb)	Crawford	Hester	Posey
Baker (Madison)	Daniel	Hogan	Powell
Bassett	Davis	Holladay	Scurlock
Bevill	Drake	Ingram	Slate
Blanton	Edwards (Escambia)	McCorquodale	Stembridge
Bolton	Faulk	Martin	Sullivan
Boston	Fite	Meade	Teel
Burns	Glass	Merrill	Thomas
Callahan	Goodwyn	Moore	Turner (Crenshaw)
Campbell (Jackson)	Grouby	Nabors	Wood
Cantrell			

—49

MOTION TO ADJOURN LOST

The motion of Mr. Nettles that the House adjourn until Friday, August 2, 1963, at ten o'clock A.M. was lost.

Yeas 38; Nays 51.

Yeas:

Messrs.	Bailes	Bethea (M)	Branyon
Avery	Bethea (B)	Bowers	Brown (Jefferson)

Callahan	Downing	Mashburn	Rast
Casey	Edwards (Lowndes)	Meeks	Rogers
Cates	Etheredge	Morrow	Sessions
Collins	Hankins	NeSmith	Steagall
Cornett	Hawkins	Nettles	Teel
Daniel	Ingram	Paulk	Turner (Limestone)
Davis	Locke	Perry	Vacca
Doggett	McCorquodale	Pruitt	

—38

Nays:

Mr. Speaker	Campbell (Tuscaloosa)	Grouby	Owens
Albea	Cantrell	Hannah	Pennington
Baker (DeKalb)	Carr	Heflin	Pierce
Baker (Madison)	Cooper	Hester	Posey
Barnett	Dominick	Hogan	Powell
Bassett	Drake	Holladay	Salter
Bevill	Edington	Jones (Covington)	Scurlock
Blanton	Edwards (Escambia)	McDermott	Slate
Bolton	Fields	Martin	Stembridge
Boston	Fite	Meade	Sullivan
Burnham	Glass	Merrill	Turner (Crenshaw)
Burns	Goldthwaite	Moore	Wood
Campbell (Jackson)	Goodwyn	Nabors	

—51

UNANIMOUS CONSENT GRANTED

Messrs. Powell, Burns, Bolton, Blanton, Teel, Turner (Crenshaw), Grouby, Crawford, Hester, Hannah, Boston, Sullivan and Davis requested unanimous consent to add their names as co-authors of the bill, H. 541, and it was so granted.

FURTHER CONSIDERATION OF H. 541

H. 541. To raise revenue; imposing a privilege or license tax on persons, firms, and corporations engaged in the business of performing certain contracts; fixing the rate of the tax and providing for collection, enforcement, and distribution thereof.

Was again taken up.

Mr. Rast offered the following amendment to the bill, H. 541:

Amendment to H. B. 541

In Section 1, strike out the second paragraph and insert in lieu thereof the following:

Upon every person, firm, or corporation engaged or continuing within this state in the business of contracting to construct, reconstruct, or build any public highway, road, bridge, or street, when the federal government participates in the cost thereof to the extent of more than 50 percent, an amount equal to one percent (1%) of the gross receipts derived from any such contract.

The motion of Mr. Fite to lay on the table the amendment offered by Mr. Rast was lost.

Yeas 40; Nays 48.

Yeas:

Mr. Speaker	Cantrell	Goodwyn	Moore
Baker (Madison)	Carr	Grouby	Nabors
Bassett	Cook	Heflin	Posey
Bevill	Cooper	Hester	Powell
Blanton	Crawford	Holladay	Reynolds
Bolton	Daniel	Ingram	Slate
Boston	Davis	McCorquodale	Sullivan
Burns	Drake	Martin	Teel
Callahan	Fite	Meade	Turner (Crenshaw)
Campbell (Jackson)	Glass	Merrill	Wood

—40

Nays:

Messrs.	Cates	Hawkins	Pennington
Albea	Collins	Hogan	Perry
Avery	Cornett	Jones (Covington)	Pierce
Bailes	Doggett	Little	Pruitt
Barnett	Dominick	Locke	Rast
Bethea (B)	Downing	McDermott	Rogers
Bethea (M)	Edington	Mashburn	Scurlock
Bowers	Edwards (Lowndes)	Meeks	Sessions
Branyon	Etheredge	Morrow	Steagall
Brown (Jefferson)	Faulk	NeSmith	Stembridge
Burnham	Goldthwaite	Nettles	Turner (Limestone)
Campbell (Tuscaloosa)	Hannah	Owens	Vacca
Casey			

—48

The question was then on the adoption of the amendment offered by Mr. Rast to the bill, H. 541, and said amendment was lost.

Yeas 45; Nays 48.

Yeas:

Messrs.	Cates	Gilmore	Pennington
Albea	Collins	Goldthwaite	Perry
Avery	Cornett	Hawkins	Pierce
Bailes	Daniel	Hogan	Pruitt
Barnett	Doggett	Little	Rast
Bethea (B)	Dominick	Locke	Rogers
Bethea (M)	Downing	McDermott	Scurlock
Bowers	Edington	Mashburn	Sessions
Brown (Jefferson)	Edwards (Escambia)	Morrow	Steagall
Burnham	Edwards (Lowndes)	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Etheredge	Nettles	Vacca
Casey	Fields		

—45

Nays:

Mr. Speaker	Callahan	Faulk	Ingram
Baker (BeWalt)	Campbell (Jackson)	Fite	Jones (Covington)
Baker (Madison)	Cantrell	Glass	McCorquodale
Bassett	Carr	Goodwyn	Martin
Bevill	Cook	Grouby	Meade
Blanton	Cooper	Hannah	Meeks
Bolton	Crawford	Heflin	Merrill
Boston	Davis	Hester	Moore
Burns	Drake	Holladay	Nabors

Owens	Reynolds	Stembridge	Thomas
Posey	Salter	Sullivan	Turner (Crenshaw)
Powell	Slate	Teel	Wood

—48

Mr. Rast offered the following amendment to the bill, H. 541:

Amend HB 541 by deleting the period at the end of Section 4 and adding the following words:

"Nor to any contracts to which any County of the State of Ala. is a party".

The motion of Mr. Fite to lay on the table the amendment offered by Mr. Rast was lost.

Yeas 44; Nays 50.

Yeas:

Mr. Speaker	Cantrell	Grouby	Owens
Baker (DeKalb)	Cook	Hannah	Posey
Baker (Madison)	Cooper	Heflin	Reynolds
Bassett	Crawford	Hester	Salter
Bevill	Davis	Holladay	Slate
Blanton	Drake	Ingram	Sullivan
Bolton	Edwards (Escambia)	Martin	Teel
Boston	Etheredge	Meade	Thomas
Burns	Faulk	Merrill	Turner (Crenshaw)
Callahan	Fite	Moore	Turnham
Campbell (Jackson)	Glass	Nabors	Wood

—44

Nays:

Messrs.	Casey	Hawkins	Perry
Albea	Cates	Hogan	Pierce
Avery	Collins	Jones (Covington)	Powell
Bailes	Cornett	Jones (Monroe)	Pruitt
Barnett	Daniel	Little	Rast
Bethea (B)	Doggett	McCorquodale	Rogers
Bethea (M)	Dominick	McDermott	Scurlock
Bowers	Downing	Mashburn	Sessions
Brown (Jefferson)	Edington	Meeks	Steagall
Burnham	Edwards (Lowndes)	Morrow	Stembridge
Camp	Gilmore	NeSmith	Turner (Limestone)
Campbell (Tuscaloosa)	Goldthwaite	Nettles	Vacca
Carr	Goodwyn	Pennington	

—50

The question was then on the adoption of the amendment offered by Mr. Rast to the bill, H. 541, and said amendment was adopted.

Yeas 55; Nays 39.

Yeas:

Messrs.	Bethea (M)	Carr	Doggett
Albea	Bowers	Casey	Dominick
Avery	Brown (Jefferson)	Cates	Downing
Bailes	Burnham	Collins	Edington
Barnett	Camp	Cornett	Edwards (Lowndes)
Bethea (B)	Campbell (Tuscaloosa)	Daniel	Etheredge

Faulk	Little	Nettles	Salter
Fields	Locke	Pennington	Scurlock
Gilmore	McCorquodale	Perry	Sessions
Goldthwaite	McDermott	Pierce	Steagall
Hankins	Mashburn	Powell	Stembridge
Hawkins	Meeks	Pruitt	Turner (Limestone)
Hogan	Morrow	Rast	Vacca
Jones (Monroe)	NeSmith	Rogers	

—55

Nays:

Mr. Speaker	Campbell (Jackson)	Grouby	Nabors
Baker (DeKalb)	Cantrell	Hannah	Owens
Baker (Madison)	Cook	Heflin	Posey
Bassett	Cooper	Hester	Slate
Bevill	Davis	Ingram	Sullivan
Blanton	Drake	Jones (Covington)	Teel
Bolton	Edwards (Escambia)	Martin	Thomas
Boston	Fite	Meade	Turner (Crenshaw)
Burns	Glass	Merrill	Wood
Callahan	Goodwyn	Moore	

—39

And said bill, H. 541, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 60; Nays 33.

Yeas:

Mr. Speaker	Cook	Hawkins	Pierce
Baker (DeKalb)	Cooper	Heflin	Posey
Baker (Madison)	Crawford	Hester	Powell
Bassett	Daniel	Hogan	Reynolds
Bevill	Davis	Holladay	Salter
Blanton	Drake	Ingram	Scurlock
Bolton	Edwards (Escambia)	Locke	Steagall
Boston	Edwards (Lowndes)	McCorquodale	Stembridge
Bowers	Faulk	Martin	Sullivan
Burns	Fite	Meade	Teel
Callahan	Glass	Merrill	Thomas
Campbell (Jackson)	Goodwyn	Moore	Turner (Crenshaw)
Cantrell	Grouby	Nabors	Turnham
Carr	Hankins	NeSmith	Vacca
Collins	Hannah	Owens	Wood

—60

Nays:

Messrs.	Casey	Goldthwaite	Pennington
Albea	Cates	Jones (Covington)	Perry
Bailes	Cornett	Little	Pruitt
Barnett	Doggett	McDermott	Rast
Bethea (B)	Dominick	Mashburn	Rogers
Bethea (M)	Downing	Meeks	Sessions
Brown (Jefferson)	Edington	Morrow	Slate
Burnham	Etheredge	Nettles	Turner (Limestone)
Camp	Fields		

—33

And the bill:

H. 481. (With Amendment). To make an appropriation from the general fund in the state treasury to the use of the state department of conservation for the development of Noccalula Falls Park at Gadsden, Etowah County.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Ways and Means, said committee amendment being as follows:

AMENDMENT TO H.B. 481

Amend H. B. 481 by striking therefrom the last sentence of Section 1 and inserting in lieu therefor the following:

"The appropriation is conditional upon the condition of the state treasury and approval of the Governor, and shall be released from time to time in such amounts as the Governor may approve to be spent for any project or projects as approved by the Council or Commission of the City of Gadsden."

And the amendment was adopted.

Yeas 53; Nays 5.

Yeas:

Mr. Speaker	Cantrell	Hain	Paulk
Albea	Collins	Hankins	Pennington
Avery	Cooper	Hannah	Perry
Baker (DeKalb)	Cornett	Hester	Powell
Baker (Madison)	Crawford	Ingram	Reynolds
Bassett	Downing	Jones (Covington)	Rogers
Bethea (B)	Edington	Little	Scurlock
Bevill	Edwards (Escambia)	McDermott	Sullivan
Bolton	Etheredge	Meade	Teel
Boston	Faulk	Moore	Thomas
Brown (Jefferson)	Gilmore	Morrow	Turner (Greenshaw)
Burns	Glass	Nabors	Vacca
Callahan	Grouby	Owens	Wood
Campbell (Jackson)			

—53

Nays:

Messrs.	Doggett	Jones (Monroe)	Nettles
Daniel	Dominick		

—5

On motion of Mr. Owens, the motion of Mr. Holladay to postpone further consideration of the bill, H. 481, as amended, until the twenty-eighth legislative day, was laid upon the table.

Yeas 48; Nays 42.

Yeas:

Mr. Speaker	Baker (Madison)	Bevill	Burns
Albea	Barnett	Bolton	Callahan
Avery	Bethea (B)	Bowers	Camp

Campbell (Jackson)	Fields	Meade	Rogers
Cantrell	Fite	Meeks	Salter
Collins	Goodwyn	Morrow	Scurlock
Cooper	Grouby	Nabors	Sessions
Davis	Hawkins	Owens	Slate
Downing	Hester	Pennington	Thomas
Drake	Hogan	Perry	Turner (Crenshaw)
Edington	Ingram	Powell	Vacca
Faulk	Jones (Covington)	Rast	Wood

—48

Nays:

Messrs.	Cook	Hain	Mashburn
Bassett	Cornett	Hankins	Merrill
Bethea (M)	Crawford	Hannah	NeSmith
Blanton	Daniel	Heflin	Nettles
Boston	Doggett	Holladay	Paulk
Branyon	Dominick	Jones (Monroe)	Posey
Brown (Jefferson)	Edwards (Escambia)	Little	Pruitt
Burnham	Edwards (Lowndes)	Locke	Stembridge
Campbell (Tuscaloosa)	Gilmore	McCorquodale	Teel
Carr	Glass	McDermott	Turner (Limestone)
Casey	Goldthwaite	Martin	

—42

And said bill, H. 481, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 53; Nays 36.

Yeas:

Mr. Speaker	Cantrell	Grouby	Perry
Albea	Collins	Hannah	Powell
Baker (DeKalb)	Cook	Hawkins	Rast
Baker (Madison)	Cooper	Hester	Reynolds
Barnett	Davis	Hogan	Rogers
Bassett	Downing	Ingram	Scurlock
Bethea (B)	Drake	Jones (Covington)	Sessions
Bevill	Edington	McDermott	Slate
Boston	Edwards (Escambia)	Meade	Sullivan
Bowers	Faulk	Moore	Thomas
Burns	Fields	Nabors	Turner (Crenshaw)
Callahan	Fite	Owens	Vacca
Camp	Goodwyn	Pennington	Wood
Campbell (Jackson)			

—53

Nays:

Messrs.	Crawford	Holladay	NeSmith
Bethea (M)	Daniel	Jones (Monroe)	Nettles
Bolton	Doggett	Little	Paulk
Branyon	Dominick	Locke	Pierce
Brown (Jefferson)	Edwards (Lowndes)	McCorquodale	Posey
Burnham	Gilmore	Martin	Pruitt
Carr	Goldthwaite	Mashburn	Stembridge
Casey	Hankins	Merrill	Teel
Cates	Heflin	Morrow	Turner (Limestone)
Cornett			

—36

MOTION TO ADJOURN LOST

The motion of Mr. Teel that the House adjourn until Friday, August 2, 1963, at ten o'clock A.M. was lost.

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Little to suspend the rules in order to introduce two resolutions out of order was adopted.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Little, Goldthwaite, Goodwyn, Pierce and Turner (Crenshaw):

H. J. R. 102. WHEREAS in the highest tradition of the sea and of American sport the selection of the United States' representative to defend the challenge for the America's Cup will shortly be begun, and

WHEREAS the people of Alabama share with the people of New England and with all Americans the inheritance of these proud traditions,

NOW THEREFORE BE IT RESOLVED that the Honorable C. M. A. Rogers, III and the Honorable W. E. Perry, Jr. be designated the official representatives of the people of Alabama to attend and observe in their name the challenge races for the America's Cup,

BE IT FURTHER RESOLVED that such official representative be empowered and authorized to name a group of not more than five persons to accompany them, and that the names of these persons together with a copy of this resolution be sent to the Commodore of the New York Yacht Club by the Clerk of the House of Representatives of Alabama with a request that they be assisted in securing suitable accommodations and observation opportunities for the racing.

BE IT FURTHER RESOLVED that such group of persons be known as the Semmes Committee in honor of Admiral Raphael Semmes, CSN and that the Semmes Committee be and it hereby is requested to report to the Regular Session of the Legislature of 1965 on the feasibility of an expanded program of sailing yacht racing in Alabama waters.

On motion of Mr. Little the rules were suspended and H.J.R. 102 was adopted.

Also:

By Messrs. Little, Pierce, Goodwyn, Goldthwaite, Turnham, Paulk, Stenbridge, Jones (Monroe), Salter, Thomas, Cates, Cornett and Hawkins:

H. J. R. 103. WHEREAS Coach Wilbur Hall Hutsell, dean of southern track and field coaches, leaves a long and enviable record upon his retirement from Auburn University where he has achieved rare success; and

WHEREAS Coach Hutsell has completed his forty-second straight season as Auburn's track coach by winning all four 1963 dual meets and finishing third in the Southeastern Conference meet in Birmingham; and

WHEREAS Coach Hutsell, despite having had a minimum number of boys on scholarship, holds a dual meet record through the years that may never be equaled, it standing at 140 wins and 25 losses; and

WHEREAS Coach Hutsell has produced 75 SEC champions, plus 7 others who have tied for first place in 31 SEC meets. His teams won the SEC title in 1954, 1955, and 1961. He has coached 14 Southeastern AAU title teams, 3 national high hurdle champions, 2 NCAA and 1 NAAU discus champions and 4 olympic performers. He has been an assistant coach on 3 Olympic teams; and

WHEREAS Coach Hutsell came to Auburn from the University of Missouri in 1921 from which time he served as track coach and trainer until 1947 when he was made Director of Athletics. In 1951 he resigned his position to return to his first love, track and field; and

WHEREAS throughout all these many years of successful service the wise counsel and example of Coach Hutsell has been a beneficial influence over the lives of the many hundreds of boys under his tutelage; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That the Legislature of Alabama takes note of the retirement of Coach Hutsell, commends him for his outstanding record of achievements, and wishes to thank him for his great contribution and service to Auburn University and to the people of this State.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Coach Hutsell and to Auburn University.

On motion of Mr. Little the rules were suspended and H.J.R. 103 was adopted.

BILLS ON THIRD READING RESUMED

H. 152. To amend Section 744 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. 510, approved August 15, 1947, which relates to the maximum amount of privilege or license tax which the several municipalities within the State may annually assess and collect for the privilege of operating telephone exchanges and long distance telephone lines within the limits of such municipalities.

As amended, was again taken up.

On motion of Mr. McDermott, the motion of Mr. Powell to postpone further consideration of the bill, H. 152, as amended, until the twenty-eighth legislative day, was laid upon the table.

Yeas 45; Nays 41.

Yeas:

Messrs.	Cook	Heflin	Nettles
Bailes	Crawford	Hogan	Owens
Barnett	Dominick	Holladay	Perry
Bassett	Edington	Ingram	Rast
Bethea (B)	Edwards (Escambia)	Jones (Monroe)	Rogers
Bethea (M)	Etheredge	Locke	Steagall
Bolton	Faulk	McCorquodale	Sullivan
Brown (Jefferson)	Fields	McDermott	Thomas
Carr	Gilmore	Mashburn	Turner (Crenshaw)
Casey	Glass	Morrow	Vacca
Cates	Goldthwaite	Nabors	Wood
Collins	Hain		

Nays:

Mr. Speaker	Camp	Hankins	Paulk
Albea	Campbell (Jackson)	Hannah	Pennington
Avery	Cantrell	Hester	Pierce
Baker (DeKalb)	Cooper	Jones (Covington)	Posey
Bevill	Cornett	Little	Powell
Blanton	Daniel	Martin	Reynolds
Boston	Downing	Meade	Salter
Branyon	Drake	Merrill	Scurlock
Brown (Tuscaloosa)	Edwards (Lowndes)	Moore	Slate
Burnham	Grouby	NeSmith	Stembridge
Callahan			

—41

MOTION TO ADJOURN LOST

The motion of Mr. Hannah that the House adjourn until Friday, August 2, 1963, at ten o'clock A.M. was lost.

BILLS ON THIRD READING RESUMED

FURTHER CONSIDERATION OF H. 152

H. 152. To amend Section 744 of Title 37 of the Code of Alabama (1940), as amended by Act No. 355, H. 510, approved August 15, 1947, which relates to the maximum amount of privilege or license tax which the several municipalities within the State may annually assess and collect for the privilege of operating telephone exchanges and long distance telephone lines within the limits of such municipalities.

As amended, was again taken up.

The motion of Mr. Baker (DeKalb) to indefinitely postpone the bill, H. 152, as amended, was lost.

Yeas 38; Nays 48.

Yeas:

Messrs.	Branyon	Daniel	Moore
Albea	Brown (Tuscaloosa)	Downing	Paulk
Avery	Burnham	Drake	Pennington
Baker (DeKalb)	Callahan	Fite	Pierce
Baker (Madison)	Camp	Glass	Posey
Barnett	Campbell (Jackson)	Hankins	Powell
Bevill	Campbell (Tuscaloosa)	Hannah	Reynolds
Blanton	Carr	Heflin	Scurlock
Bolton	Cooper	Little	Stembridge
Boston	Cornett	Merrill	

—38

Nays:

Mr. Speaker	Cantrell	Edgington	Hain
Bailes	Casey	Edwards (Escambia)	Hogan
Bassett	Collins	Etheredge	Holladay
Bethea (B)	Cook	Fields	Ingram
Bethea (M)	Crawford	Gilmore	Jones (Covington)
Bowers	Davis	Goldthwaite	Jones (Monroe)
Brown (Jefferson)	Dominick	Grouby	Locke

McCorquodale	Nabors	Rast	Steagall
McDermott	NeSmith	Rogers	Sullivan
Mashburn	Nettles	Salter	Teel
Meeks	Owens	Sessions	Turner (Crenshaw)
Morrow	Perry	Slate	Vacca

—48

And said bill, H. 152, as amended, was again read at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 43; Nays 39.

Yeas:

Mr. Speaker	Edington	Jones (Monroe)	Perry
Bailes	Edwards (Escambia)	Locke	Rast
Bethea (B)	Edwards (Lowndes)	McCorquodale	Rogers
Bethea (M)	Etheredge	McDermott	Sessions
Bowers	Gilmore	Mashburn	Slate
Brown (Jefferson)	Goldthwaite	Meeks	Steagall
Casey	Grouby	Morrow	Teel
Collins	Hain	Nabors	Turner (Crenshaw)
Crawford	Hogan	NeSmith	Vacca
Davis	Holladay	Nettles	Wood
Dominick	Ingram	Owens	

—43

Nays:

Messrs.	Branyon	Daniel	Merrill
Albea	Burnham	Downing	Paulk
Avery	Callahan	Drake	Pennington
Baker (DeKalb)	Camp	Fields	Pierce
Baker (Madison)	Campbell (Jackson)	Fite	Posey
Barnett	Cantrell	Hankins	Powell
Bevill	Carr	Hannah	Reynolds
Blanton	Cook	Heflin	Salter
Bolton	Cooper	Jones (Covington)	Scurlock
Boston	Cornett	Little	Stembridge

—39

And the bill:

H. 157. (With Amendment). To propose an amendment to the Constitution relative to the method of adopting amendments to the Constitution.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

AMENDMENT TO H. B. 157

In Amendment, Line 4, after "levied" add "by counties and municipalities."

On motion of Mr. Bethea (M), the motion of Mr. Bailes to postpone further consideration of the bill, H. 157, and pending amendment, until the twenty-eighth legislative day, was laid upon the table.

Yeas 58; Nays 16.

Yeas:

Mr. Speaker	Cantrell	Holladay	Pennington
Albea	Cook	Ingram	Perry
Avery	Cooper	Jones (Covington)	Posey
Baker (DeKalb)	Davis	Little	Powell
Baker (Madison)	Downing	Locke	Scurlock
Barnett	Edington	McCorquodale	Sessions
Bassett	Edwards (Escambia)	McDermott	Slate
Bethea (B)	Faulk	Mashburn	Steagall
Bethea (M)	Fite	Meeks	Stembridge
Bolton	Gilmore	Merrill	Teel
Boston	Grouby	Moore	Thomas
Branyon	Hannah	Morrow	Turner (Limestone)
Brown (Tuscaloosa)	Heflin	Nabors	Vacca
Burnham	Hester	Paulk	Wood
Campbell (Jackson)	Hogan		

—58

Nays:

Messrs.	Cates	Etheredge	Nettles
Bailes	Collins	Goldthwaite	Pierce
Blanton	Daniel	Hain	Rast
Callahan	Edwards (Lowndes)	Jones (Monroe)	Sullivan
Carr			

—16

And the amendment reported by the Standing Committee on Constitution and Elections to the bill, H. 157, was adopted.

Yeas 74; Nays 5.

Yeas:

Mr. Speaker	Cook	Hannah	NeSmith
Albea	Cooper	Heflin	Pennington
Avery	Cornett	Hester	Perry
Baker (DeKalb)	Davis	Hogan	Pierce
Baker (Madison)	Doggett	Holladay	Posey
Barnett	Dominick	Ingram	Powell
Bassett	Downing	Jones (Covington)	Rast
Bethea (B)	Drake	Jones (Monroe)	Reynolds
Bethea (M)	Edington	Little	Rogers
Bolton	Edwards (Escambia)	Locke	Scurlock
Boston	Etheredge	McCorquodale	Sessions
Bowers	Faulk	McDermott	Slate
Branyon	Fields	Martin	Steagall
Brown (Tuscaloosa)	Fite	Meade	Stembridge
Burnham	Gilmore	Meeks	Sullivan
Camp	Glass	Merrill	Turner (Limestone)
Cantrell	Goldthwaite	Morrow	Vacca
Casey	Grouby	Nabors	Wood
Cates	Hain		

—74

Nays:

Messrs.	Carr	Nettles	Paulk
Bailes	Moore		

—5

And said bill, H. 157, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 19.

Yeas:

Mr. Speaker	Casey	Goodwyn	Merrill
Albea	Cook	Grouby	Nabors
Avery	Cornett	Hannah	NeSmith
Baker (DeKalb)	Crawford	Heflin	Pennington
Baker (Madison)	Davis	Hester	Posey
Barnett	Dominick	Hogan	Powell
Bassett	Downing	Holladay	Rast
Bethea (M)	Drake	Ingram	Reynolds
Bolton	Edgington	Jones (Covington)	Sessions
Boston	Edwards (Escambia)	Locke	Slate
Bowers	Engel	McCorquodale	Steagall
Branyon	Faulk	McDermott	Sullivan
Burnham	Fields	Martin	Thomas
Camp	Fite	Mashburn	Turner (Limestone)
Campbell (Jackson)	Gilmore	Meade	Vacca
Cantrell	Goldthwaite	Meeks	Wood

—64

Nays:

Messrs.	Cates	Hain	Nettles
Bailes	Collins	Jones (Monroe)	Perry
Bethea (B)	Cooper	Little	Pierce
Blanton	Doggett	Moore	Rogers
Carr	Etheredge	Morrow	Scurlock

—19

And the bill:

H. 316. (With Amendment). To amend Code of Alabama 1940, Title 37, Section 781, which relates to boards of adjustment of incorporated cities and towns.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Local Government, said committee amendment being as follows:

Amend House Bill Number 316 by inserting after the third sentence therein the following:

“Provided, that the members of boards of adjustment heretofore created shall serve out their terms and thereafter the members of such boards shall be appointed in the manner prescribed herein for boards created after the effective date of this Act.”

On motion of Mr. Crawford the amendment reported by the Standing Committee on Local Government was laid upon the table.

Mr. Crawford offered the following amendment to the bill, H. 316:

AMENDMENT TO H. B. 316

Amend House Bill 316 by inserting after the third sentence therein the following:

"Provided, that the members of boards of adjustment heretofore created shall serve out their terms and thereafter the members of such boards shall be appointed in the manner prescribed herein for boards created after the effective date of this Act. In addition to the five regular members herein provided for two supernumerary members shall be appointed to serve on such board at the call of the chairman, only in the absence of regular members, and while so serving shall have and exercise the power and authority of regular members. Such supernumerary members shall be appointed to serve for three year terms and shall be eligible for reappointment."

And the amendment was adopted.

Yeas 69; Nays 1.

Yeas:

Mr. Speaker	Cook	Hain	Pierce
Albea	Cooper	Heflin	Posey
Avery	Cornett	Hester	Powell
Baker (DeKalb)	Crawford	Hogan	Pruitt
Baker (Madison)	Davis	Ingram	Reynolds
Bassett	Doggett	Jones (Covington)	Rogers
Bethea (M)	Downing	Little	Scurlock
Bevill	Edington	McDermott	Sessions
Boston	Edwards (Escambia)	Mashburn	Slate
Bowers	Edwards (Lowndes)	Meade	Steagall
Brown (Tuscaloosa)	Engel	Meeks	Stembridge
Camp	Faulk	Morrow	Sullivan
Campbell (Jackson)	Fite	Nabors	Teel
Campbell (Tuscaloosa)	Gilmore	NeSmith	Thomas
Cantrell	Glass	Paulk	Turner (Limestone)
Carr	Goodwyn	Pennington	Vacca
Casey	Grouby	Perry	Wood
Cates			

—69

Nay:

Mr. Bolton

—1

And said bill, H. 316, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 5.

Yeas:

Mr. Speaker	Cates	Faulk	Ingram
Avery	Collins	Fite	Jones (Covington)
Baker (DeKalb)	Cook	Gilmore	Little
Baker (Madison)	Cooper	Glass	McDermott
Barnett	Cornett	Goldthwaite	Martin
Bassett	Crawford	Goodwyn	Mashburn
Bethea (M)	Davis	Grouby	Meade
Boston	Doggett	Hain	Meeks
Bowers	Downing	Hannah	Moore
Campbell (Jackson)	Drake	Heflin	Nabors
Campbell (Tuscaloosa)	Edwards (Escambia)	Hester	NeSmith
Cantrell	Edwards (Lowndes)	Hogan	Paulk
Casey	Engel	Holladay	Pennington

Pierce	Rogers	Stembridge	Turner (Grenshaw)
Posey	Salter	Sullivan	Turner (Limestone)
Powell	Sessions	Teel	Vacca
Pruitt	Slate	Thomas	Wood
Reynolds	Steagall		

—70

Nays:

Messrs.	Burnham	Carr	Edington
Bolton	Camp		

—5

And the bill:

H. 799. Relating to public health; to further amend Section 9 of Title 22, Code of Alabama 1940 (Title 22, Section 9, Code of Alabama, Recompiled 1958); as last amended by Act No. 357, Acts 1957, approved August 23, 1957.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 58; Nays 9.

Yeas:

Mr. Speaker	Edwards (Escambia)	McDermott	Posey
Baker (DeKalb)	Edwards (Lowndes)	Martin	Pruitt
Baker (Madison)	Engel	Mashburn	Reynolds
Bassett	Fite	Meade	Rogers
Bevill	Gilmore	Meeks	Salter
Boston	Glass	Merrill	Sessions
Brown (Jefferson)	Goldthwaite	Moore	Slate
Brown (Tuscaloosa)	Goodwyn	Morrow	Steagall
Collins	Hain	Nabors	Sullivan
Cook	Hannah	Nettles	Thomas
Crawford	Hester	Faulk	Turner (Grenshaw)
Daniel	Hogan	Pennington	Turner (Limestone)
Doggett	Holladay	Perry	Vacca
Downing	Jones (Covington)	Pierce	Wood
Drake	Little		

—58

Nays:

Messrs.	Bailes	Burnham	Powell
Alben	Bethas (M)	Campbell (Jackson)	Scurlock
Avery	Bowers		

—9

And the bill:

H. 632. For the relief of Eddie Lee Bennett; making an appropriation of highway department funds to compensate him for personal injuries suffered by him while he was engaged in the performance of his regularly assigned duties as a convict leased to the State Highway Department by the State Board of Corrections.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 65; Nays 4.

Yeas:

Mr. Speaker	Cook	Hannah	Pennington
Avery	Cooper	Hester	Perry
Bailes	Doggett	Hogan	Pierce
Baker (DeKalb)	Downing	Jones (Covington)	Posey
Baker (Madison)	Drake	Little	Powell
Barnett	Edington	McCorquodale	Pruitt
Bassett	Edwards (Escambia)	McDermott	Rast
Bevill	Edwards (Lowndes)	Martin	Reynolds
Blanton	Engel	Mashburn	Rogers
Boston	Fields	Meade	Sessions
Bowers	Fite	Meeks	Steagall
Branyon	Gilmore	Merrill	Sullivan
Brown (Jefferson)	Glass	Morrow	Turner (Crenshaw)
Burns	Goldthwaite	Nabors	Turner (Limestone)
Campbell (Jackson)	Goodwyn	Nettles	Vacca
Cates	Hain	Paulk	Wood
Collins			

—65

Nays:

Messrs.			
Burnham	Camp	Holladay	Slate

—4

And the bill:

H. 33. (With Amendment). Proposing an amendment to the Constitution of Alabama to authorize certain constitutional officers to serve an additional successive term in the office to which elected.

Was taken up.

The question was upon the adoption of the amendment reported by the Standing Committee on Constitution and Elections, said committee amendment being as follows:

Amendment to H. B. 33

In Section 1, in the proposed constitutional amendment, strike out paragraph 1, and insert the following:

1. The governor shall be eligible as his own successor for not more than one additional term of four years, but shall not be eligible to election or appointment to any other office under this state, or to the Senate of the United States, during his term and within one year after the expiration thereof.

Also, in the proposed amendment, paragraph 2, strike out the words "The first clause" and insert the words "The provisions of the first clause"

And the amendment was adopted.

Yeas 84; Nays 4.

Yeas:

Mr. Speaker	Baker (DeKalb)	Bevill	Brown (Jefferson)
Albea	Barnett	Bolton	Brown (Tuscaloosa)
Avery	Bassett	Bowers	Burnham
Bailes	Bethea (M)	Branyon	Burns

Camp	Edwards (Escambia)	Jones (Covington)	Rast
Campbell (Jackson)	Edwards (Lowndes)	Little	Reynolds
Campbell (Tuscaloosa)	Engel	Locke	Rogers
Cantrell	Etheredge	McCorquodale	Salter
Carr	Faulk	McDermott	Scurlock
Casey	Gilmore	Martin	Sessions
Cates	Glass	Meade	Slate
Collins	Goldthwaite	Meeks	Steagall
Cook	Goodwyn	Merrill	Stembridge
Cooper	Grouby	Nabors	Sullivan
Crawford	Hain	Nettles	Teel
Daniel	Hannah	Paulk	Thomas
Doggett	Hawkins	Pennington	Turner (Greenshaw)
Dominick	Heflin	Pierce	Turner (Limestone)
Downing	Hogan	Posey	Vacca
Drake	Holladay	Powell	Wood
Edington	Ingram	Pruitt	

—84

Nays:

Messrs.			
Bethea (B)	Mashburn	Morrow	Perry

—4

Mr. Meade offered the following amendment to the bill, H. 33, as amended:

Amendment to HB 33.

In Section 1 in the proposed Constitutional Amendment strike out paragraph 3.

And the amendment was adopted.

Yeas 66; Nays 9.

Yeas:

Mr. Speaker	Cooper	Hawkins	Pennington
Albea	Crawford	Heflin	Pierce
Avery	Daniel	Hogan	Posey
Baker (Madison)	Doggett	Holladay	Powell
Barnett	Downing	Jones (Covington)	Reynolds
Bassett	Drake	Locke	Salter
Bethea (M)	Edwards (Escambia)	McCorquodale	Scurlock
Bevill	Edwards (Lowndes)	McDermott	Sessions
Blanton	Engel	Martin	Steagall
Boston	Fite	Mashburn	Stembridge
Branyon	Gilmore	Meade	Sullivan
Brown (Jefferson)	Glass	Merrill	Teel
Burnham	Goldthwaite	Moore	Thomas
Burns	Goodwyn	Nabors	Turner (Greenshaw)
Cantrell	Grouby	Nettles	Vacca
Collins	Hain	Paulk	Wood
Cook	Hannah		

—66

Nays:

Messrs.	Campbell (Jackson)	Little	NeSmith
Bailes	Casey	Meeks	Turner (Limestone)
Camp	Edington		

—9

And said bill, H. 33, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 78; Nays 11.

Yeas:

Mr. Speaker	Cook	Hannah	Perry
Albea	Cooper	Hawkins	Pierce
Avery	Cornett	Heflin	Posey
Bailes	Crawford	Hogan	Powell
Baker (DeKalb)	Daniel	Holladay	Rast
Barnett	Davis	Jones (Covington)	Reynolds
Bassett	Doggett	Little	Rogers
Bethea (M)	Dominick	Locke	Salter
Bevill	Downing	McCorquodale	Scurlock
Boston	Drake	McDermott	Sessions
Bowers	Edwards (Escambia)	Martin	Slate
Branyon	Edwards (Lowndes)	Mashburn	Stembridge
Brown (Jefferson)	Engel	Meade	Sullivan
Burnham	Etheredge	Meeks	Teel
Burns	Fite	Morrow	Thomas
Callahan	Gilmore	Nabors	Turner (Crenshaw)
Campbell (Jackson)	Glass	Nettles	Turner (Limestone)
Cantrell	Goldthwaite	Paulk	Vacca
Carr	Goodwyn	Pennington	Wood
Collins	Grouby		

—78

Nays:

Messrs.	Bolton	Edington	Moore
Baker (Madison)	Camp	Hain	NeSmith
Blanton	Casey	Ingram	Steagall

—11

UNANIMOUS CONSENT GRANTED

Mr. Bolton requested unanimous consent to remove his name as a co-author of the bill, H. 33, and it was so granted.

UNANIMOUS CONSENT GRANTED

Mr. Hester requested unanimous consent to have the call of counties for the introduction of bills and resolutions, and it was so granted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced, severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Grouby, Goodwyn, Edwards (Lowndes), Powell, Paulk, Cooper, Heflin, Bassett, Hain, Teel, Ingram, Davis, Pierce and Little:

H. 995. To make an appropriation to the state board of agriculture and industries for the acquisition, establishment, equipment, operation and maintenance of a state farmers' market in Montgomery County or in any county adjoining Montgomery County.

Ways and Means.

By Mr. Paulk (With Notice and Proof):

H. 996. Relating to Bullock County; authorizing the county governing body to formulate and adopt rules and regulations for the enforcement and collection of certain taxes levied under authority of Constitutional Amendment No. CXXVIII and to allocate and expend the proceeds thereof and to adopt appropriate ordinances and resolutions implementing the amendment.

Local Legislation No. 1.

Notice and Proof H. 996:

LEGAL

STATE OF ALABAMA COUNTY OF BULLOCK

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to Bullock County; authorizing the county governing body to formulate and adopt rules and regulations for the enforcement and collection of certain taxes levied under authority of Constitutional Amendment No. CXXVIII and to allocate and expend the proceeds thereof and to adopt appropriate ordinances and resolutions implementing the amendment.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The court of county commissioners, board of revenue, or like governing body of Bullock County may by resolution or ordinance duly adopted prescribe such reasonable rules and regulations as may be necessary for the efficient enforcement and collection of any tax levied under authority of Amendment No. CXXVIII of the Constitution of Alabama, and may employ such personnel, fix their duties and compensation, and to otherwise allocate and spend the proceeds of any such tax for any purpose which in the judgment of the county governing body is necessary and proper and consistent with the purposes and objectives of the amendment authorizing such tax levy.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF BULLOCK

Before me, the undersigned authority in and for said County in said State, this day personally appeared W. H. Garner, who, being by me first

duly sworn, deposes and says that during the times herein mentioned he was publisher of the Union Springs Herald, a newspaper of general circulation published in Bullock County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 4, July 11, July 18, and July 25, all in the year 1963.

W. H GARNER,

Sworn to and subscribed before me July 29, 1963.

RUBY M. GARNER,
Title Notary Public.

By Messrs. Merrill, Pierce and Cornett:

H. 997. To amend Code of Alabama 1940, Title 46, Section 6, in relation to the authority and procedure for the State Board of Public Accountancy to revoke or suspend certificates.

Judiciary.

By Mr. Meade:

H. 998. To repeal Act No. 272, H. 380, Regular Session 1961 (Acts 1961, p. 299), an act authorizing county governing bodies to provide for the payment of expenses of certain county officers in counties having populations of not less than 16,150 and not more than 17,250.

Local Legislation No. 1.

By Mr. Heflin (With Notice and Proof):

H. 999. To provide for the compensation of jurors in Chilton County.

Local Legislation No. 1.

Notice and Proof H. 999:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation of jurors in Chilton County.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Regular jurors, grand and petit, serving in Chilton County are entitled to ten dollars for each day's services, five cents for each mile traveled in going to and returning from court, and ferriage and toll, to be proved by the oath of the juror before the clerk of the court. The clerk shall give each juror a certificate, stating thereing the number of days he has served, the number of miles he has traveled, the amount of ferriage and toll has paid, and the amount of compensation to which he is entitled. The certificate shall be receivable in payment of county taxes, and other county dues, and payable out of the county treasury.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA,)
COUNTY OF CHILTON)

Personally appeared before the undersigned, a Notary Public in and for said county and state, Bob Tucker, Publisher of the CHILTON COUNTY NEWS, a newspaper published at Clanton, County of Chilton, State of Alabama, who being duly sworn, states on oath that the advertisement, a true copy of which is hereto attached, was published in said newspaper in its issues of:

5 day of July, 1963

11 day of July, 1963

18 day of July, 1963

25 day of July 1963

BOB TUCKER,
Publisher.

Subscribed and sworn to before me this 29th day of July, 1963.

R. M. TUCKER,
Notary Public.

By Mr. Ingram:

H. 1000. To make an appropriation to the use of Crooked Creek Watershed Association, a nonprofit corporation created for the promotion of public improvements.

Ways and Means.

By Mr. Ingram:

H. 1001. To make an appropriation from the State Treasury to the use of the Board of Education of Clay County for the construction, reconstructioning, altering, or repairing of public school buildings in said county.

Ways and Means.

By Mr. Ingram:

H. 1002. To make an appropriation to the use of Ketchepedrakee Creek Watershed Association, a nonprofit corporation created for the promotion of public improvements.

Ways and Means.

By Mr. Casey (With Notice and Proof):

H. 1003. Relating to Cleburne County, providing an exemption from municipal license or excise taxes levied on gasoline when purchased by the county board of education for use in county school buses.

Local Legislation No. 1.

Notice and Proof H. 1003:

STATE OF ALABAMA
COUNTY OF CLEBURNE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Cleburne County, providing an exemption from municipal license or excise taxes levied on gasoline when purchased by the county board of education for use in county school buses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The county board of education of Cleburne County shall be exempt from payment of any license or excise tax levied or imposed by any municipality within the County on gasoline or other like motor fuel when the fuel is bought for use in the operation of county school system. In reporting and paying the tax to the city or town, every person liable for tax may deduct the tax on the number of gallons of gasoline sold to the board of education of Cleburne County, the provisions of any other law or ordinance of the city or town contrary notwithstanding; but the city or town may require proof of the sale of exempt gasoline to the county board of education in such way as it may by ordinance prescribe.

Section 2. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 3. This Act shall take effect on the first day of the month next following the date of its enactment.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF CLEBURNE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jack R. Wood, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor & Publisher of the CLEBURNE NEWS, a newspaper of general circulation published in CLEBURNE County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

JACK R. WOOD.

Sworn to and subscribed before me July 23, 1963.

MARY B. BURCHFIELD,
Title Notary Public.

By Mr. Casey:

H. 1004. To make an appropriation to the use of Terrapin Creek Watershed Association, a nonprofit corporation created for the promotion of public improvements.

Ways and Means..

By Mr. Casey:

H. 1005. To make an appropriation to the use of Lost Creek Watershed Association, a nonprofit corporation created for the promotion of public improvements.

Ways and Means.

By Messrs. Jones (Covington), Goldthwaite and Little:

H. 1006. To create a fund in the state treasury to be known as the Alabama special educational trust fund surplus account, and to provide for the use of such fund.

Ways and Means.

By Messrs. Turner (Crenshaw), Brewer and Fite:

H. 1007. To regulate the lending of money repayable in installments, whether secured or unsecured, in amounts in excess of \$300 by those holding a license under the Alabama Small Loan Act, or by a "related company" as defined herein; to provide the maximum rate of interest and other charges on such transactions; to regulate such transactions; to prescribe penalties for the violation of this Act; to provide for the repeal of inconsistent laws heretofore enacted; to provide exemptions from the provisions of this Act; to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; to provide when this Act shall take effect.

Ways and Means.

By Mr. Drake:

H. 1008. Prohibiting the use of convict labor by the State Highway Department in the construction, repair, and maintenance of certain county roads and bridges.

Local Legislation No. 1.

By Mr. Steagall (With Notice and Proof):

H. 1009. To alter and rearrange the boundaries of the City of Ozark, Dale County, so as to exclude certain territory incorporated into the city by Act No. 379, Regular Session of 1959.

Local Legislation No. 1.

Notice and Proof H. 1009:

A BILL
TO BE ENTITLED
AN ACT

To alter and rearrange the boundaries of the City of Ozark, Dale County, so as to exclude certain territory incorporated into the city by Act No. 379, Regular Session of 1959.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The boundaries and corporate limits of the city of Ozark, Dale County, are hereby altered and rearranged so that all that part of the Southwest Quarter of the Northeast Quarter of Section 7, Township 5, Range 24, lying southwest of the Fort Rucker Road and between the road connection to the camp ground road, incorporated by Act No. 379,

H. 910 of the Regular Session of the Legislature of 1959 (Acts 1959, p. 994), shall be excluded from the area embraced within the corporate limits of the city, and shall no longer form a part of the city.

Section 2. That part of Act No. 379, H. 910 of the Regular Session of the Legislature of 1959 (Acts 1959, Vol. 2, p. 994) in conflict with this Act is hereby repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
DALE COUNTY.

Before me the undersigned authority in and for said County and State, personally appeared John Q. Adams, who being by me first duly sworn deposes and says that during the time herein mentioned he was publisher of The Southern Star, a newspaper of general circulation published in Dale County, Alabama, and that the attached notice was published in said newspaper once a week for 4 consecutive weeks, said notice having appeared in the issue of said paper on June 27, July 4-11, and 18-1963-

JOHN Q. ADAMS,
Publisher.

Sworn to and subscribed before me this the 29 day of July 1963.

CELESTE A. WOODS,
Notary Public.

By Messrs. Powell and Nettles:

H. 1010. Relating to the police power of the state; to prohibit unauthorized persons going upon or remaining on church property or entering churches contrary to specific instructions by an authorized agent of such church; prescribing penalties.

State Administration.

By Mr. Powell:

H. 1011. To amend Code of Alabama 1940, Title 36, Section 74, in relation to the fee payable for obtaining a duplicate driver's license.

State Administration.

By Messrs. Burns, Owens, Slate, Nabors, Young, Hester, Powell, NeSmith, Baker (DeKalb), Cooper, Stenbridge, Paulk, Heflin, Doggett, Edwards (Escambia), Edwards (Lowndes), Mashburn, Salter, Turner (Crenshaw), Jones (Covington), Goodwyn, Perry, Turnham, Casey, Carr, Camp, Posey, Brown (Tuscaloosa), Campbell (Tuscaloosa), Avery, Baker (Madison), Barnett, Boston, Hannah, Campbell (Jackson), Cantrell, Moore, Turner (Limestone), Bowers, Vacca, Sessions, Brown (Jefferson), Meeks, Bethea (M), Scurlock, Beville, Callahan, Reynolds, Teel, Bassett, Ingram, Bolton, Holladay, Crawford, Thomas, McCorquodale, Drake, Nettles, Jones (Monroe), Daniel, Little, Pierce, Glass, Wood, Fields, Engel, McDermott, Rogers, Grouby, Faulk, Cook, Hain, Meade, Pennington, Fite and Steagall:

H. 1012. To make it a felony for a father to fail to comply with terms of a court order requiring him to support his child or children.

Judiciary.

By Messrs. Crawford, Stembridge, Bassett, Faulk, Cook, Steagall and Thomas:

H. 1013. To make an appropriation to the state board of education for certain capital outlays.

Ways and Means.

By Messrs. Collins, Hawkins, Etheredge, Bowers, Sessions, Perry, Morrow, Meeks, Brown (Jefferson), Locke, Rast, Gilmore, Vacca, Bailes, Bethea (B) and Bethea (M) (With Notice and Proof):

H. 1014. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 1014:

NOTICE

Notice is hereby given of intention to apply at the present special session or any future special or regular session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That, from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Jefferson County, Alabama, be and the same are altered and re-arranged, so as to include within the corporate limits of said city of Mountain Brook, Jefferson County, Alabama, in addition to the territory included within its present corporate limits the territory lying and situated in Jefferson County, Alabama, contiguous to said city, more particularly described as follows:

The SW $\frac{1}{4}$ of NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 1, Township 18, South Range 2 West; the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 2, Township 18 South, Range 2 West.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA
JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of April 27; May 4, 11, 18, 1963, a legal notice, a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to on this the 20th day of May, 1963.

ANGIE CAMPISI.
Notary Public.

By Messrs. Collins, Hawkins, Etheredge, Bowers, Sessions, Perry, Morrow, Meeks, Brown (Jefferson), Locke, Rast, Gilmore, Vacca, Bailes, Bethea (B), and Bethea (M) (With Notice and Proof):

H. 1015. To alter and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

Local Legislation No. 2.

Notice and Proof H. 1015:

NOTICE

Notice is hereby given of intention to apply at the present special session or any future special or regular session of the Legislature of Alabama, for introduction and passage of a Bill the substance of which, as distinguished from details, is and will be the substance, as distinguished from detail of the following:

A BILL
TO BE ENTITLED
AN ACT

To alter, and re-arrange the boundary lines of the City of Mountain Brook, Alabama, so as to include within the corporate limits of said City, all territory now within such corporate limits and also certain other territory in Jefferson County, Alabama, contiguous to said City.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. That, from and after the passage and approval of this act, the boundary lines of the City of Mountain Brook, Jefferson County, Alabama, be and the same are altered and re-arranged, so as to include within the corporate limits of said city of Mountain Brook, Jefferson County, Alabama, in addition to the territory included within its present

corporate limits, the territory lying and situated in Jefferson County, Alabama, contiguous to said city, more particularly described as follows:

The NW¼ of the NW¼ of Section 1, Township 18 South, Range 2 West, not already in the City of Mountain Brook, Alabama; the SW¼ of the NW¼ and NW¼ and SW¼ of the SW¼ of Section 1, Township 18 South, Range 2 West.

Section 2. All laws or parts of laws which conflict with this act are repealed.

Section 3. That this act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AFFIDAVIT OF PUBLICATION

STATE OF ALABAMA JEFFERSON COUNTY

Before me, the undersigned authority in and for said County in said State, personally appeared Sara Wheeler who, being by me first duly sworn, deposes and says that she is the PUBLISHER of THE BIRMINGHAM MESSENGER, a weekly newspaper of general circulation published in Jefferson County, Alabama, which was established on the 13th day of September, 1930, and which has been published consecutively weekly since said date. And that there was published in said newspaper in the issues of May 25; June 1, 8, 15, 1963, a legal notice a copy of which is hereto attached.

SARA WHEELER,
Publisher.

Sworn and subscribed to me on this the 17th day of June, 1963

ANGIE CAMPISI,
Notary Public.

By Messrs. Meeks, Rast, Etheredge and Gilmore:

H. 1016. Relating to the liability of persons who performed or furnished the design, planning, supervision or construction of improvement on real property, to third parties, after the improvement has been turned over to and accepted by the owner.

Business and Labor.

By Messrs. Meeks, Rast, Etheredge and Gilmore:

H. 1017. To provide that all actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction or such improvements, must be commenced within two years next after such act or omission and not afterwards. Provided that if the cause of action is not discovered and could not reasonably have been discovered within such period, then the action may be commenced within six months from the date of such discovery or the date of discovery of facts which would reasonably lead to such discovery, whichever is earlier, provided further that in no event may the action be commenced more than six years after such act or omission.

Business and Labor.

By Mr. Hankins:

H. 1018. To fix the salary of the county superintendent of education in all counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Boston and Hannah:

H. 1019. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

By Messrs. Boston and Hannah:

H. 1020. To provide further for the supplemental compensation of circuit judges in every circuit composed of only one county having two circuit judges and a population of not less than 60,500 nor more than 65,000 inhabitants according to the last or any subsequent federal decennial census; providing that the supplemental compensation herein provided shall be in lieu of any and all other salary supplements heretofore authorized.

Local Legislation No. 1.

By Messrs. Hannah and Boston:

H. 1021. To make an appropriation from the Alabama special educational trust fund for the construction of an athletic stadium at the Lauderdale County High School.

Ways and Means.

By Mr. Moore (With Notice and Proof):

H. 1022. To exempt the G. C. Lingerie Corporation, located at Town Creek, Lawrence County, Alabama, from all ad valorem, franchise, and other taxes, general and special, State and County, and from all licenses and permits, not required to be paid by the Constitution of Alabama, for a period of ten years, beginning October 1, 1958, and providing that any person who collects, or attempts to collect, any such taxes, or licenses, or permits from said Corporation, during such ten year period, shall be guilty of a misdemeanor and shall, on conviction, be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Local Legislation No. 1.

Notice and Proof H. 1022:

STATE OF ALABAMA
COUNTY OF LAWRENCE

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To exempt the G. C. Lingerie Corporation, located at Town Creek Lawrence County, Alabama, from all ad valorem, franchise, and other taxes, general and special, State and County, and from all licenses and permits, not required to be paid by the Constitution of Alabama, for a period of ten years, beginning October 1, 1958, and providing that any person who collects, or attempts to collect, any such taxes, or licenses, or permits from said Corporation, during such ten year period, shall be guilty of a misdemeanor and shall, on conviction, be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The G. C. Lingerie Corporation, located at Town Creek, Lawrence County, Alabama, is exempted from the payment of all ad valorem, franchise, and other taxes, general and special, both State and County, and from all licenses and permits, unless such taxes, licenses, or permits are required to be paid by the Constitution of Alabama, for a period of ten years, beginning October 1, 1958.

Section 2. Any person who collects, or attempts to collect, any ad valorem, franchise, or other taxes, general or special, not required to be paid by the Constitution of Alabama, or who collects, or attempts to collect, any license or permit, from the G. C. Lingerie Corporation, located at Town Creek, Lawrence County, Alabama, for a period of ten years, beginning October 1, 1958, shall be guilty of a misdemeanor, and shall, on conviction, be punished as provided by Section 327 of Title 15 of the Code of Alabama of 1940.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF LAWRENCE

Before me, the undersigned authority in and for said County in said State, this day personally appeared Arthur F. Slaton, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the The Moulton Advertiser, a newspaper of general circulation published in Lawrence County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 20, June 27, July 4, and July 11, all in the year 1963.

ARTHUR F. SLATON.

Sworn to and subscribed before me July 23, 1963.

R. E. PROCTOR
Title Notary Public.

By Mr. Turnham:

H. 1023. To provide for collection of costs in civil actions when execution is stayed at the direction of the judgment owner or his attorney.

Judiciary.

By Mr. Turnham:

H. 1024. To amend further Section 21 of Title 11, Code of Alabama 1940, which relates to the fees allowed to clerks of circuit courts in civil cases.

Judiciary.

By Mr. Steagall:

H. 1025. To amend Section 35 of Title 34 of the Code of Alabama, 1940, to clarify and make certain the rights of husbands to custody of the children in certain cases on divorce.

Judiciary.

By Mr. Cooper:

H. 1026. To make an additional appropriation to the state superintendent of education for the purpose of contracting with Tuskegee Institute for undergraduate and graduate instruction in engineering.

Ways and Means.

By Messrs. Pennington, Baker (Madison) and Reynolds:

H. 1027. Relating to Madison County; authorizing the court of county commissioners, board of revenue or like governing body to create a special revolving fund for the purpose of purchasing and selling federal revenue stamps as a service to the general public.

Local Legislation No. 1.

By Mr. Carr:

H. 1028. To make an appropriation from the state treasury to the use of the board of education of Marshall County for the construction and equipment of a new public school building at Guntersville.

Ways and Means.

By Messrs. Engel, McDermott and Hogan:

H. 1029. To authorize municipalities and counties in this state to make contributions to or for the benefit of public educational institutions and public corporations in this state for the purpose of providing sites for, and constructing and equipping buildings and other facilities for use by, public educational institutions.

Ways and Means.

By Messrs. Fields, Engel, Edington, Downing, Hogan, Rogers and McDermott (With Notice and Proof):

H. 1030. Relating to the City of Mobile, establishing a pension and relief system for City police and firemen department members, creating a Policemen's and Firemen's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Local Legislation No. 3.

Notice and Proof H. 1030:

LEGAL NOTICE

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama, and application for its passage and enactment will be made, to-wit:

A BILL TO BE ENTITLED AN ACT

Relating to the City of Mobile, establishing a pension and relief system for City police and firemen department members, creating a Policemen's and Firemen's Pension and Relief Fund, providing revenues for such funds, creating a Board of Pensions to administer the retirement system, providing regulations and procedures governing the operation of the pension and relief system, providing penalties, and repealing conflicting laws.

Be it enacted by the Legislature of Alabama:

Section 1. There is hereby created a Pension and Relief system for the regularly organized and paid members of the police and fire departments of the City of Mobile, which shall be supported, maintained and managed as hereinafter provided.

Section 2. There shall be a special fund in the treasury of the City of Mobile to be designated the Policemen's and Firemen's Pension and Relief Fund which shall be set apart by the comptroller or other person performing the duties of Treasurer of the City of Mobile, and shall be held and maintained as other city funds are held and maintained except as is hereinafter provided.

Section 3. There shall be paid into such Fund, out of the treasury of the City of Mobile, an amount equal to five per cent of the amount of all fines and moneys, except costs of court, paid as a result of prosecutions for violations of ordinances or laws of the City of Mobile, which sums shall be determined and credited to the fund on a monthly basis; two per cent of the monthly salary of every member of the police and fire departments shall be deducted by the proper authority from the monthly salaries of said members of such departments and shall be transferred to the Fund monthly with record kept showing amount credited to each said member; two percent of the monthly salary of the members of such departments which shall be contributed by the City of Mobile and credited to such Fund monthly; that portion of the assessment that may be fixed by the governing body of the City and added as cost of court in connection with prosecutions for violations of the ordinances of the City of Mobile, provided that the assessment of such costs for this purpose shall not exceed \$3, shall be collected and credited monthly to the Fund; and the Fund shall be credited with any appropriations made by the City when at any time the Fund shall be insufficient to pay the benefits and defray the expenses as provided in this Act. The Board of Commissioners or other governing body of the City of Mobile may appropriate from any funds not otherwise appropriated an amount sufficient to cover such deficiency and may in subsequent budgets provide an amount to cover any anticipated deficits in the Fund.

Section 4. The percentages paid into the City treasury as a result of convictions and prosecutions, court costs and the sums representing matching payments by the City as provided by Section 3 of this Act are hereby charged with and appropriated to the Policemen's and Firemen's Pension

and Relief Fund and shall be so credited by the comptroller or another person performing the duties of Treasurer of the City of Mobile.

Section 5. (a) Moneys may be given or donated to said Fund by any person, firm or association or corporation for the uses and purposes for which said Fund is created, and said Board of Pensions may take by gift, grant, devise or bequest, any money, personal property, real estate or any interest therein or any right of property for the benefit of such Fund; and such gift, grant, devise or bequest may be absolute or in fee-simple or upon condition that only the rents, income and profits arising therefrom shall be applied to the purposes for which said fund is created.

(b) Trustees may be appointed by the Board of Pensions for the purpose of receiving, holding, or managing any property acquired under subsection (a) hereof, if not otherwise named by the instrument of gift or legacy, and for performing duties in connection with funds or properties under control of the board, and such Trustees shall serve subject to such restrictions and conditions as may be prescribed by the Board; provided, however, no salary shall be paid from the Pension and Relief Fund herein created to any person acting as such Trustee.

Section 6. (a) Each fire insurance company doing business in the City of Mobile shall, on or before the first day of February of each year, pay to the City of Mobile for credit to said Pension and Relief Fund, a sum equal to one-half of one per cent of the gross premiums, less returned premiums, received by such fire insurance companies, or their agents, doing business in the City of Mobile for and on account of business done by it during the preceding year; provided, however, that when said insurance companies pay to the City a sum equal to four percent of its net premiums, such companies shall not be required to pay the amount herein provided to said Pension and Relief Fund.

(b) Each such fire insurance company shall on or before the due date of such payment file with the Board of Commissioners or like governing body of the City a statement or report in writing, showing the gross amount of premiums less returned premiums, received by such fire insurance company for and on account of business done by it in the City during the preceding year, which statement or report shall be sworn to by the agent of such fire insurance company in the City, or some other person having knowledge of the facts; and any such fire insurance company failing to make and file such report and statement as aforesaid, shall forfeit to the City of Mobile for use of the Policemen's and Firemen's Pension and Relief Fund, the sum of one thousand dollars, to be recovered against such fire insurance company violating the provisions hereof, or its agents, by suit brought in the name of the City, and all such forfeitures and penalties shall be and become a part of the Policemen's and Firemen's Pension and Relief Fund.

Section 7. The Board of City Commissioners, or other like governing body of the City, is hereby authorized and empowered to set apart and pay into the Pension and Relief Fund not exceeding one per cent of all revenues collected and received by the City from licenses, provided, however, that this section shall not be compulsory.

Section 8. The Board of Pensions hereinafter created is authorized to place in banks at interest and to invest such part of the fund as is not necessarily in use, but such investments shall be limited to United States bonds, state, municipal and county bonds of Alabama. All such securities, funds and moneys shall be maintained and kept separate and apart in special accounts set aside from other moneys and securities of the City, so that they shall at all times be subject to instant use.

Section 9. (a) The Board of Commissioners or other governing

body of the City shall create a Board to carry out the provisions of this Act, which shall be designated "The Board of Firemen's and Policemen's Pensions of the City of Mobile", hereinafter called "The Board". The Board shall consist of five reputable persons who are bona fide residents of the City of Mobile and over the age of twenty-one years. Members of the Board shall hold office for six years and until their successors are appointed, unless sooner removed at any time for good cause by the appointing authority. No member of the Board shall receive any compensation for this.

(b) The Board shall organize by the election of a Chairman and Vice-Chairman and shall meet not less than once each month and at such other time as may be considered necessary upon call of the Chairman. Three members of the Board shall constitute a quorum for transaction of business.

(c) Separate and adequate records shall be kept by the Board of all of its meetings and proceedings, which records shall be public and shall be subject to inspection on order of the governing body of the City of Mobile at any time.

(d) The Board of Commissioners or like governing body of the City of Mobile shall appoint, subject to the merit system of the City, and pay from the General Fund of the City the salary of a Secretary of the Board of Pensions, who shall be responsible for records required in this section and Section 22 hereof and shall perform such other duties as may be prescribed by the Board.

(e) The Chairman of the Board of Pensions shall provide bond in the penal sum of \$25,000 conditioned upon faithful performance of his duties, the premium of which shall be paid by the City of Mobile from the General Fund.

(f) All applications for pensions and relief under this Act shall be heard and determined by the Board of Pensions.

(g) Vacancies on the Board for any cause shall be filled by appointment of the governing body of the City of Mobile for the unexpired term.

Section 10. All warrants drawn against the fund shall be on order of the Chairman of the Board of Pensions and shall be signed as are other warrants signed and executed by authorized authorities of the City. However, such warrants shall be different in color, or otherwise, so as to distinguish them from other City warrants drawn by said City. No portion of said Policemen's and Firemen's Pension and Relief Funds shall, before or after its order for distribution, be seized or held or in any wise subject to garnishment or levy of execution or attachment issued out of or by any court of this State, or any other State, so far as any debt, damage, demand, claim, judgment or decree against any beneficiary in such funds, but shall be exempt therefrom.

Section 11. Every member of such police and fire departments shall come under the provisions and benefits of this Act, but no member of the Board of Commissioners or of other departments of the City shall be entitled to benefits hereunder.

Section 12. If any member of such police and fire department, while in the performance of his duties, becomes and is found to be temporarily totally disabled, mentally or physically, for services in such police or fire departments, by reason of service therein, the Board of Pensions shall order the payment and there shall be paid from the fund herein provided to such disabled member an amount equal to fifty per cent of his

monthly salary, but not to exceed one hundred dollars per month, during such period of total disability. Provided, however, that such member during the period of disability is paid no salary as a member of the police or fire department or any other department of the city, and provided further that such payment shall not continue beyond one year from the date of the determination of temporary total disability. Such disability shall be determined by the Board of Pensions after report from the City Physician, and such other physicians and surgeons as the Board may consult, and after the consideration of any other evidence the Board may desire to consider.

Section 13. (a) If any member of the police or fire department while in the performance of his duty is found and determined to be physically or mentally permanently disabled for service by reason of such service so as to render his retirement necessary, the Board of Pensions shall make the necessary orders and shall retire such disabled member from service. Upon such retirement the member shall be paid monthly from the Fund, an amount equal to sixty percent of his monthly salary, the payments to be made during such disability.

(b) Should any member of such police or fire department who has served in such department for a period of fifteen years be found to be physically or mentally permanently disabled (through no misconduct on his part) for service in such police or fire departments, so as to render his retirement from such service necessary, the Board of Pensions shall make the necessary order, and shall retire such disabled member from service and upon such retirement the member shall be paid monthly from the Policemen's and Firemen's Pension and Relief Fund an amount equal to fifty per cent of his monthly salary. Such members under subsection (a) and (b) herein may be called back and examined at any time under the orders of the Board of Pensions, and may be ordered back to active service, or to perform other services in connection with the City, such as he is able to perform, according to the instructions, findings and orders of the Board. While in active service, such pension will not be paid.

Section 14. Any member or former member of the police or fire department who has been in the service thereof for as long as twenty consecutive years, upon making written application to the Board of Pensions therefor, shall, without medical examination or disability, be retired from service in such police or fire department; and upon such retirement, the said Board of Pensions shall direct the payment to such retired member monthly from the Fund herein created a sum equal to fifty per cent of the monthly compensation or salary received by such member as salary in such fire or police department at the time of his retirement; provided, however, that said payments to said retired member of the police or fire department shall not commence or be effective earlier than the fifty-fifth birthday of the member.

Section 15. (a) Any member or former member of such police or fire department who has been in the service thereof for as long as twenty-five years, the last ten years of which have been continuous, upon making written application to the Board of Pensions shall, without medical examination or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty per cent of the monthly compensation received by such member as salary in such fire or police department at the time of his retirement.

(b) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty years, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor, shall without medical examination

or disability, be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to fifty-five per cent of the monthly compensation received by such member as salary in such fire or police department at the time of his retirement.

(c) Any member or former member of such police or fire department who has been in the service thereof for as long as thirty-five years or longer, the last ten years of which have been continuous, upon making written application to the Board of Pensions therefor shall without medical examination or disability be retired from service of such fire or police department, and upon such retirement, the said Board shall direct the payment to such retiring member, commencing not earlier than the fifty-fifth birthday of such member, monthly from such Fund, a sum equal to sixty per cent of the monthly compensation received by such member as salary in such fire or police department at the time of his retirement.

Section 16. (a) Whenever an active or retired member of such police or fire department shall die, there shall be appropriated and paid from the Fund the sum of one hundred dollars for funeral and burial expenses of such deceased member, which sum shall be used for funeral and burial expenses and paid out upon order of the Pension Board to the person or persons designated by the Chief of Police, if decedent was a member of the Police Department, or the Chief of the Fire Department, if decedent was a member of the Fire Department.

(b) Whenever a member of the police or fire department of the city shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, and in either event if such deceased employee shall leave a widow, such widow shall receive fifty percent of the member's pension entitlement as determined on the date of death of the deceased, but not to exceed one hundred dollars (\$100.00) per month. The widow may receive such payments for the term of her life or until her remarriage, by establishing her eligibility (1) by proof of a bona fide marriage to deceased consummated not less than one year prior to the date of death, if deceased was an active employee, or one year prior to transfer to the pension roll if deceased was a retired or disabled employee. For the purpose of this Act, proof of a common law marriage shall not be considered a bona fide marriage; (2) upon proof that the claimant and the deceased were living together as man and wife on the date of the death of deceased and had been so living for at least one year prior to the date of his death; and (3) upon supplying such annual proof of continued eligibility as may be required by the Board for continued pension.

(c) Whenever a member of the Police or Fire Departments of the City shall die while an active employee thereof with fifteen years or more service or otherwise eligible for a pension, or whenever a retired or disabled member shall die who is receiving pension or disability payments as herein provided, and in either event if such deceased employee shall leave no widow, but shall leave an unmarried child or children under the age of eighteen on the date of his death, such child or children shall receive the widow's benefit as herein provided not to exceed one hundred dollars (\$100.00) per month, which payments shall be made through a guardian until the youngest child reaches the age of eighteen, or is married.

(d) Whenever the employment of a member of the Police or Fire Department of the City shall be terminated by death or for any other reason before eligibility for benefits has been established, the contribution of such employee to the Fund shall be refunded in lump sum without

interest to the employee, his widow or children, a named beneficiary, or to his estate, as the case may be. Prior service of an employee rehired after termination and refund as herein provided shall not count toward future retirement.

Section 17. In all matters involving the disability or sickness of members of the Police or Fire Department, the Board of Pensions may cause such disabled or sick member to be examined by the City Physician, and such other reputable physicians or surgeons as it may select, who shall report to the Board in writing the result of such examination or examinations and it is hereby made the duty of the City Physician, when requested by the Board to make such examination and to report his findings as herein provided. Any member of the Police or Fire Department who refuses to allow such examinations as may be considered necessary by the Board shall, during the continuance of such refusal, be debarred from receiving any benefits whatever under this Act.

Section 18. Members of the Police and Fire Departments of the City of Mobile who shall receive the benefits of this Act shall continue to receive such benefits only during the period of their eligibility therefor, and shall submit annually and at such other times as ordered by the Board such statements or other evidence of eligibility as may be required by the Board.

Section 19. Should the Pension and Relief Fund at any time be insufficient or inadequate to pay pensions to those properly entitled to receive same, the person or persons so entitled to payments shall not file suit for payment thereof but the Board of Pensions shall have absolute discretion as to what portion of the pension shall be paid, and when there are several persons entitled to payments, and the funds are insufficient to pay them in full, the Board of Pensions shall prorate the available amount to the respective claimants. However, at no time shall the payments exceed the limits fixed in this Act.

Section 20. There shall be kept by the Secretary of the Board of Pensions a book in which shall be maintained a list of retired policemen and firemen. Such book shall also give a full and complete history and record of the action of the said board in retiring any and all persons under this Act and shall show the names, date of entering service in such police or fire departments, periods of employment, date of retirement and the reason for such retirement and such other information as the Board may require, including written requests from members desiring retirement.

Section 21. It shall be the duty of the City Attorney of Mobile to give advice to the Board of Pensions in all matters pertaining to the duties of the Board, and the management of the Pension and Relief Fund, whenever requested to do so, and shall represent and defend the Board as its attorney in all suits and actions at law or in equity that may be brought against it or the City of Mobile in connection with its duties, and during all suits and actions in its behalf that may be required or determined upon by the Board.

Section 22. Any member of the Police or Fire Department of the City of Mobile may elect at any time not to come within the provisions of this Act, and should he so elect, no part of his salary shall be deducted for the Pension and Relief Fund. His election must be in writing, signed by him, and filed with the Board of Pensions. Thereafter, he shall not be allowed to come within the provisions or be entitled to the benefits of this Act, unless he first makes application to the Board of Pensions, and such Board may use its discretion in the premises, but said persons shall not be credited for services in the Police or Fire Departments for the time during which he was not bound by the provisions of this Act.

Section 23. In case of any dispute arising out of this Act or any of its provisions or on any decision relating to application for benefits, the decision of the Board of Pensions shall be final. In no event shall any suit be filed against the Board of Pensions, any of its members or the Board of Commissioners or other authority of the City, for the recovery of any pension or to enforce any of the provisions of this Act. However, should any suit be brought on behalf of the City or the Board of Pensions, it shall be brought in the name of the City of Mobile, and not in the name of the Board of Pensions.

Section 24. All powers, duties and responsibilities related to the establishment and administration of a pension and relief system for firemen and policemen for the City of Mobile which have heretofore been exercised by the Board of Commissioners or any other board or agency of the City of Mobile for the purpose of administering such system, created under authority of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350), shall be vested in the Board of Pensions herein created and established; all funds, books, records, supplies and equipment and all other assets of any kind or nature created and used in the administration of such former pension and relief system shall be transferred to and administered by the Board of Pensions herein created; and all accrued rights and liabilities under any former pension and relief system for firemen and policemen of the City shall be retained and preserved and all obligations and duties under such former system shall be fully performed in the same manner and to the same extent by the Board of Pensions created by this Act as they would have been performed by any authority replaced by the board of pensions.

Section 25. All laws and parts of laws and specifically that part of Act No. 774, S. 626, Regular Session 1951 (Acts 1951, p. 1350) in conflict with this Act are repealed.

Section 26. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 27. This Act shall take effect October 1, 1963, and shall not have retroactive application.

John W. Winter being sworn, says that he is Advertising Director of the Mobile Press and The Mobile Register; daily newspapers printed and published in the City and County of Mobile, State of Alabama: and the attached notice appeared in the issue of The Mobile Register July 8, 15, 22, 29, 1963.

JOHN W. WINTER.

Sworn to and subscribed before me This 29 day of July 1963.

EDWIN LEE PERKINS,
Notary Public.

By Messrs. Rogers, Smith, Hogan, Fields, Edington, Downing, Hester, McDermott, Engel, Little, Pierce, Goldthwaite, Perry and Morrow:

H. 1031. Relating to state revenue; exempting certain entertainments, exhibitions, and amusements from the sales tax levied or imposed by Section 2(b), Act No. 100, Second Special Session 1959.

Ways and Means.

By Mr. Rogers:

H. 1032. Providing further for the appointment, duties, and compensation of special judges serving in lieu of judges of probate in certain matters; amending Code of Alabama 1940, Title 13, Section 310.

Ways and Means.

By Messrs. Hogan, Nettles, Daniel, McDermott, Downing, Engel and Edington:

H. 1033. To provide further for the enforcement of duties of support.

Judiciary.

By Messrs. Hogan, Goodwyn, Rogers, Edington, Mashburn, Engel, McDermott, Nettles, Daniel, Downing, Meeks, Wood, Edwards (Escambia), Smith, Jones (Monroe), Pierce, McCorquodale, Hester, Bowers, Powell, Baker (DeKalb), Turnham, Grouby, Slate, Locke, Little and Cates:

H. 1034. To revise Act No. 295, S. 69, Special Session 1961 (Acts 1961, p. 2353), an act relating to bastardy proceedings.

Judiciary.

By Messrs. McDermott, Engel and Hogan:

H. 1035. To propose an amendment to the Constitution of Alabama respecting the indebtedness that may be incurred by certain named municipalities in Mobile County.

Local Legislation No. 3.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Engel and McDermott:

H. 1036. To amend Section 1 of Act No. 60 adopted at the 1962 Special Session of the Legislature of Alabama so as to make said Act apply to any city of the state having a population of 200,000 or more according to the last or any subsequent federal census.

Local Legislation No. 3.

By Mr. Engel:

H. 1037. To provide that in all counties having a population of not less than 300,000 nor more than 500,000 according to the most recent federal decennial census, every voter should be entitled to absent himself from any services or employment in which he is then engaged for two consecutive hours between the time of opening and the time of closing the polls without being liable for any penalty except for wages or compensation actually lost; and to provide that each employer shall have the right to schedule such time as such employee absent himself.

Local Legislation No. 3.

By Messrs. Engel, McDermott, Hogan, Rogers, Fields and Edington:

H. 1038. To make an appropriation to the Alabama Civil War

Centennial Commission to promote the celebration of the 100th anniversary of the Battle of Mobile Bay.

Ways and Means.

By Messrs. Engel, McDermott, Rogers and Hogan:

H. 1039. To authorize the county governing body of those counties having a population of more than 300,000 and less than 500,000 inhabitants to hold elections upon the request of a majority of the members of the legislature representing such county; to provide for the submission to the qualified electors at said election of questions submitted by a majority of the legislative delegation of such county; to provide for the manner and time of holding such elections; to provide for the expenses of such election to be paid out of the general fund of the county; to require the county governing body to certify the results of such election, and to provide that such results shall be advisory only; to provide when this act shall become effective.

Local Legislation No. 3.

By Messrs. Engel and McDermott:

H. 1040. To amend Code of Alabama 1940, Title 55, Section 286, in relation to the terms of members of county and municipal library boards.

Ways and Means.

By Mr. Edington:

H. 1041. To amend further Code of Alabama 1940, Title 37, Section 413, which relates to employees of public utilities holding municipal offices.

Local Government.

By Mr. Goldthwaite:

H. 1042. To amend Code of Alabama, 1940, Title 51, Section 613, in relation to the license tax payable on vending machines.

Ways and Means.

By Mr. Barnett (With Notice and Proof):

H. 1043. To repeal Act No. 591, H. 1047, Regular Session 1961, entitled "An Act to levy additional special privilege license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the county governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties" (Acts 1961, v. 1, p. 699).

Local Legislation No. 1.

Notice and Proof H. 1043:

LEGAL NOTICE

STATE OF ALABAMA
PERRY COUNTY.

Notice is hereby given that a bill substantially as follows will be in-

troduced in the legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To repeal an act to levy additional special privilege license and excise taxes for public schools in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided in Act. No. 100 H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term school District Two as used in this Act; to provide for the collection of such taxes by the County governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the act; to prescribe penalties.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One: That an act entitled an act to levy additional special license and excise taxes for public school purposes in School District Two of Perry County, such taxes to parallel the state sales and use taxes provided in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 29, Title 51, Code of Alabama 1940, as amended and supplemented; to define the term School District Two as used in this Act; to provide for the collection of such taxes by the County governing body of Perry County, and for the custody, distribution and use of the proceeds thereof; to provide for the administration and enforcement of the Act; and to prescribe penalties, be and the same is hereby repealed as of July 1, 1964.

Section Two: That this act shall go into effect upon its approval by the Governor or otherwise becoming a law.

TO WHOM IT MAY CONCERN:

I, Albert Stewart, Business Manager of The Marion Times-Standard, a weekly newspaper of general circulation, published Thursday of each week in the City of Marion, Perry County, Alabama, do hereby certify that the attached notice was published in our issues of July 4, July 11, July 18 and July 25, 1963.

ALBERT STEWART,
Title Business Manager.

Sworn to and subscribed before me this 29 day of July 1963.

ELIZABETH F. STEWART,
Notary Public, Perry County, Ala.

By Mr. Barnett (With Notice and Proof):

H. 1044. To repeal Act No. 723, H. 1048, Regular Session 1961, entitled "An Act to raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax" (Acts 1961, v. 2, p. 1031).

Local Legislation No. 1.

Notice and Proof H. 1044:

LEGAL NOTICE

STATE OF ALABAMA,
PERRY COUNTY.

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENACTED
AN ACT

To repeal an act to raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's beat, in Perry County; to provide an excise tax in such district on bottled soft drinks; and to provide for the collection and administration of such tax.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section One: That an act entitled an Act to raise revenue for educational purposes in the school districts known as District 35 or Uniontown Beat, and District 36 or Pope's Beat, in Perry County; to provide an excise tax in such districts on bottled soft drinks; and to provide for the collection and administration of such tax, approved September 8, 1961, and known as Act. No. 723 of the 1961 regular session of the Legislature, be and the same is hereby repealed.

Section Two: That this act shall go into effect upon its approval by the Governor, or otherwise becoming a law.

TO WHOM IT MAY CONCERN:

I, Albert Stewart, Business Manager of The Marion Times-Standard, a weekly newspaper of general circulation, published Thursday of each week in the City of Marion, Perry County, Alabama, do hereby certify that the attached notice was published in our issues of July 4, July 11, July 18 and July 25, 1963.

ALBERT STEWART,
Title Business Manager.

Sworn to and subscribed before me this 29 day of July 1963.

ELIZABETH F. STEWART,
Notary Public, Perry County, Ala.

By Mr. Holladay:

H. 1045. To make an appropriation from the state treasury to the use of the board of education of St. Clair County for the construction and equipping of a new public school building at Pell City, Alabama.

Ways and Means.

By Mr. Campbell (Tuscaloosa):

H. 1046. Relating to counties having populations of not less than

100,000 nor more than 115,000; providing for and requiring a county unit system for the construction, repair, and maintenance of roads and bridges under the management and control of the county governing body and superintendence of a county engineer.

Local Legislation No. 1.

By Mr. Campbell (Tuscaloosa):

H. 1047. Relating to counties having populations of not less than 100,000 nor more than 115,000; providing for and requiring a system of central purchasing for the county, county departments, offices and agencies; prescribing penalties.

Local Legislation No. 1.

By Mr. Bevill:

H. 1048. Relating to the administration of pardons and paroles, providing for the waiver of certain notice, further amending Title 42, Section 16, Code of Alabama 1940.

Ways and Means.

By Messrs. Bevill, Drake and Scurlock:

H. 1049. To amend Code of Alabama 1940, Title 2, Sections 59 and 60, which relate to commercial feeds for livestock kept for sale in bulk.

Ways and Means.

By Mr. Scurlock (With Notice and Proof):

H. 1050. Relating to Walker County; limiting the number of lawyers to be retained by the county governing body and fixing his compensation.

Local Legislation No. 1.

Notice and Proof H. 1050:

STATE OF ALABAMA
COUNTY OF WALKER

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

Relating to Walker County; limiting the number of lawyers to be retained by the county governing body and fixing his compensation.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The Board of Finance and Control of Walker County or any other governing body of such county by whatever name called is hereby authorized to retain one and only one attorney to counsel and advise such board in any matter rightfully coming before the board or in which

the county is interested. The retainer fee for such lawyer shall not exceed \$150.00 per month and shall be paid from any funds in the county treasury not otherwise appropriated, and shall be his entire compensation for the services required by this Act.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard Dowis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1963.

RICHARD DOWIS.

Sworn to and subscribed before me July 29, 1963.

FAY O'REAR,
Title Notary Public.

By Messrs. Scurlock and Bevill:

H. 1051. Relating to municipalities having populations of not less than 10,275 and not more than 10,875 to authorize such municipalities to construct, reconstruct, equip, improve, extend, enlarge, maintain, repair, operate and lease off-street parking facilities; to acquire property for that purpose by purchase, gift, bequest, devise, grant, or by the exercise of the power of eminent domain with certain exceptions; to collect fees, tolls and **rentals in connection with such facilities; to finance the acquisition of such facilities from the general funds of the city, through the issuance of general obligation warrants, or through the issuance of limited obligation revenue bonds; to pledge to the punctual payment of any debt, including revenue bonds and interest thereon, the revenues derived from such facilities; to pledge, mortgage, execute deeds of trust or create liens upon such facilities for the purpose of securing any debt, including revenue bonds and interest thereon, created for the purpose of financing such facilities; to accept loans or grants from the federal government to plan, construct or acquire such facilities; to make and enter into contracts and agreements necessary or incidental to the execution of powers granted herein, and to employ professional and management services needed to carry out the provisions of this Act; prescribing the conditions and manner in which revenue bonds may be issued to finance such facilities, that such bonds and the income therefrom, all mortgages executed as security therefor, all lease**

agreements made pursuant hereto, and all parking facilities and revenue derived from the lease of such facilities shall be exempt from all taxation in the state of Alabama; providing that revenue bonds issued under the authority of this Act shall be legal investments for savings banks and insurance companies; and providing that the powers granted by this Act shall be cumulative and that the provisions of this Act shall be severable.

Local Legislation No. 1.

By Messrs. Scurlock and Bevill (With Notice and Proof):

H. 1052. To provide further for the control, supervision and administration of public schools in Walker County; to fix the qualifications and to provide for the election of a chairman and associate members of the county board of education; to fix their terms of office; to provide for their compensation, and the manner of filling vacancies in office.

Local Legislation No. 1.

Notice and Proof H. 1052:

STATE OF ALABAMA
COUNTY OF WALKER

NOTICE is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To provide further for the control, supervision and administration of public schools in Walker County; to fix the qualifications and to provide for the election of a chairman and associate members of the county board of education; to fix their terms of office; to provide for their compensation, and the manner of filling vacancies in office.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The general supervision and control of the public schools of Walker County shall be vested in a county board of education, which shall consist of a chairman and four associate members.

Section 2. The chairman of the board shall be a resident and qualified voter of any district or beat in the county, a person of good moral character, of good standing in his community, known for his honesty, business ability, public spirit and interest in the good of public education. He shall be nominated and elected by the qualified voters of the entire county; he shall take office on the day following his election and qualification and shall serve for a term of six years and until his successor is elected and qualified.

Section 3. One member of the board shall be a resident and qualified elector of each of the four districts from which members of the county governing body are elected. Each shall be a person of good moral character, of good standing in his community, known for his honesty, business ability, public spirit and interest in the good of public education. One member of the board shall be nominated and elected by qualified electors of district one; one member shall be nominated and elected by the qualified voters of district two; one member shall be nominated and elected

by the qualified electors of district three; and one member shall be nominated and elected by the qualified electors of district four.

Section 4. The incumbent chairman and members of the board shall hold office until their respective terms expire. The successor members of the board to be elected from districts one and three shall be elected at the general election in 1964; the successor members of the board to be elected from districts two and four shall be elected at the general election in 1968; the successor chairman of the board shall be elected at the general election of 1966. The chairman and members shall take office immediately following their election and qualification and each shall serve for a term of six years and until his successor is elected and qualified. Vacancies in office of chairman or associate member of the county board of education shall be filled in the manner prescribed by general law.

Section 5. The members of the board shall be compensated at the rate of fifteen dollars (\$15.00) per diem for attending meetings of the board but not to exceed two meetings in any one month. The chairman of the board shall be compensated at the rate of fifty dollars (\$50.00) per month irrespective of the number of meetings attended.

Section 6. The provisions of Section 5 hereof shall take effect upon the election and qualification of the members of the board elected at the general election in 1964.

Section 7. All laws or parts of laws which conflict with this Act are repealed.

Section 8. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 9. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF WALKER

Before me, the undersigned authority in and for said County in said State, this day personally appeared Richard Dowis, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Daily Mountain Eagle, a newspaper of general circulation published in Walker County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 25, July 2, July 9, and July 16, all in the year 1963.

RICHARD DOWIS,

Sworn to and subscribed before me July 29, 1963.

FAY O'REAR,
Title Notary Public.

By Mr. Cates:

H. 1053. Relating to counties having populations of not less than

32,000 nor more than 33,000; providing for the appointment of additional deputies sheriff whose compensation shall be paid by the county.

Local Legislation No. 1.

By Mr. Cates (With Notice and Proof):

H. 1054. To change the method of compensating certain officers of Shelby County: fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment, and supplies necessary for the conduct of their offices.

Local Legislation No. 1.

Notice and Proof H. 1054:

NOTICE

Notice is hereby given of intention to apply at the present session of the Legislature of Alabama for introduction and passage of a bill in substance as distinguishing from the detailed bill to be introduced, said bill reading in substance as follows:

A BILL TO BE ENTITLED AN ACT

To change the method of compensating certain officers of Shelby County: Fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment, and supplies necessary for the conduct of their offices.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following officers of Shelby County shall receive the following salaries:

(a) Judge of Probate—Eleven Thousand Dollars (\$11,000.00) per annum.

(b) Sheriff—Ten Thousand Dollars (\$10,000.00) per annum.

(c) Tax Assessor—Eight Thousand Dollars (\$8,000.00) per annum.

(d) Tax Collector—Eight Thousand Dollars (\$8,000.00) per annum.

(e) Circuit Clerk—who also serves as Register in Chancery and ex-officio Clerk of the Shelby County Law and Equity Court—Eight Thousand (\$8,000.00) per annum.

Such salaries shall be in lieu of all other compensation heretofore provided by law, and shall be paid in equal monthly installments out of the general fund of the County.

Section 2. All fees, commissions, allowances, percentages, and other charges heretofore collected for the use of the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, or Circuit Clerk, Register in Chancery and ex-officio Clerk of the Shelby County Law and Equity Court, shall be collected and paid into the general fund of the County.

Section 3. The Board of Revenue, Court of County Commissioners, or other like governing body of Shelby County shall provide the Judge of Probate, Sheriff, Tax Assessor, Tax Collector, Circuit Clerk-Register and ex-officio Clerk of the Shelby County Law and Equity Court of the County with such clerical assistance, deputies, quarters, books, stationery, office equipment, postage, and such other conveniences and supplies as are necessary for the proper and efficient conduct of their respective offices.

Section 4. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. All laws or parts of laws which conflict with this act are repealed.

Section 6. This act shall become effective upon the adoption of an amendment to the Constitution of Alabama authorizing the Legislature to fix, alter, and regulate the costs and charges of Courts in Shelby County, and the fees, commissions, percentages, allowances or salary of, and the method of compensating any officer of Shelby County; and upon the approval of this Act by a majority of the electors of Shelby County voting in a referendum to be held on the same day as the first state-wide, general, special or primary election that is held after the expiration of three months from final adjournment of the 1963 regular session of the Legislature. The governing body of Shelby County shall order and provide for the holding of the referendum on such date.

PROOF OF PUBLICATION

STATE OF ALABAMA COUNTY OF SHELBY

Before me, the undersigned authority in and for said County in said State, this day personally appeared O.G. Dexter, who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Shelby County Reporter, a newspaper of general circulation published in Columbiana, Shelby County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on June 27, July 4, July 11, and July 18, all in the year 1963.

O.G. DEXTER.

Sworn to and subscribed before me July 19, 1963.

C.M. FOWLER,
Title Judge of Probate.

By Mr. Cates:

H. 1055. Proposing an amendment to the Constitution of Alabama relative to the costs and charges of courts in Shelby County and the compensation of county officers.

Local Legislation No. 1.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Wood, Mashburn, Downing, Nettles, Daniel and Hogan:

H. 1056. To provide a curator and publicity director for Fort Morgan, and for payment of his compensation and expenses.

Ways and Means.

By Messrs. Nettles, Brewer, Crawford, Fite, Thomas, Morrow, Posey, Blanton, Cook, Wood, Callahan, Stembridge, Engel, Turnham, Boston, Hannah, McCorquodale, Cornett, Goodwyn, Grouby, Turner (Crenshaw), McDermott, Daniel, Hogan, Jones (Monroe), Doggett, Bassett, Edwards (Escambia), Edwards (Lowndes), Mashburn, Downing, Davis, Cates, Brown (Tuscaloosa), Faulk, Campbell (Tuscaloosa), Sullivan, Drake, Meade, Hankins, Reynolds and Beville:

H. 1057. To fix the salary of the State Commissioner of Revenue.

Ways and Means.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Powell:

H. J. R. 104. WHEREAS Mrs. Boonie Odessa Bryant passed away in East Tallassee on July 28, 1963 after a long and useful Christian life, the funeral being this afternoon; and

WHEREAS Mrs. Bryant is survived by two daughters Mrs. Levis A. Jones of Blairsville, Georgia and Mrs. Owen Harper, wife of our esteemed member from Tallapoosa County; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That the members of the House express their deepest regret upon the death of Mrs. Bryant and extend their sincere sympathy to the surviving members of her family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mrs. Jones and Mrs. Harper.

On motion of Mr. Powell the rules were suspended and H.J.R. 104 was adopted.

Also:

By Messrs. Nabors and Burns:

H. J. R. 105. To submit to a vote of the qualified electors of the State the question of holding a convention for the purpose of revising the Constitution of Alabama, and to provide for the election of the delegates and to provide for the holding of the convention in the event a majority of the electors voting at the election favor it.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

1. That on the first Tuesday after the expiration of three months from final adjournment of this session of the Legislature, an election shall be held in the several counties of the State, for the purpose of determining whether or not a convention shall be held to revise and amend

the Constitution of this State, and at that election the question of convention or no convention shall be submitted to a vote of the qualified electors of this State and if a majority of the voters voting at said election shall approve of the holding of a convention for the purpose stated, said convention shall be held as hereinafter provided.

2. The election shall be held and conducted and notice thereof given in all respects according to the provisions of Article 9 of Chapter 1, Title 17, Code of Alabama 1940. The expenses of holding the election shall be paid, the returns canvassed, and the results thereof made known in the same manner and by the same officers as in regular elections of State officers. There shall be printed on the official ballots the question to be voted on followed by the words, "yes" and "no", opposite one of which the voter may indicate his desires.

3. The convention shall consist of one hundred and six (106) delegates, to be elected in the same way that members of the House are elected. The delegates from each county shall be elected to numbered places, which places shall be designated by numbers. The person who desires to become a candidate shall designate the place by number in his declaration of candidacy. The delegate shall be elected at an election to be held in the several counties of the State on the same day as the election provided for in 1 above.

4. In the event a majority of the electors voting at the election favor holding a constitutional convention, the convention shall be held in the State Capitol and commence at Noon on the first Tuesday of May 1964. The Chief Justice of the Supreme Court of Alabama shall call the convention to order and preside until a permanent convention chairman is elected; in the absence of the Chief Justice, the senior member of the Supreme Court shall act as temporary chairman. Upon convocation of the convention, the assembled delegates shall be sworn to uphold the Constitution and laws of the United States and to perform faithfully the duties of office. The convention shall be the sole judge of the election and qualifications of its members, and, when duly assembled in pursuance of the will of the people, shall have plenary jurisdiction and power to establish ordinances, to perform such acts and to do such things as to it may seem necessary or proper for revising, altering, or amending the existing Constitution. The convention shall remain in session until a revised Constitution of Alabama is framed and provision is made for its adoption or ratification.

5. Any person who is a qualified elector of the county for which he offers his candidacy may be elected delegate; no person shall be disqualified because he is the incumbent of a public office or an employee of the United States, the State, or any political subdivision of the State. Candidates for election may be independents or nominees of political parties nominated by primary election, mass meeting, caucus, or convention, as the governing authority of the party sponsoring the candidates may provide.

6. Officers of the convention, who may be such persons as the convention may select, shall receive the same compensation as corresponding officers of the Legislature and the delegates shall receive the same per diem and mileage as members of the Legislature; payment of the same shall be made by warrants issued upon certificate of the presiding officer of the convention.

7. The convention shall be supplied by the State Department of Finance with clerical assistance, stationery, office supplies, books, statutes, reports, and such other materials as the convention may deem necessary.

REGULAR SESSION

1511

The motion of Mr. Nabors to suspend the rules in order to bring up for immediate consideration the above and foregoing H.J.R. 105 was lost.

Yeas 21; Nays 15.

Yeas:

Mr. Speaker	Cantrell	Heflin	Posey
Bailes	Crawford	Hester	Salter
Bethea (M)	Davis	Jones (Covington)	Scurlock
Boston	Doggett	Meade	Sullivan
Branyon	Hannah	Moore	Vacca
Burns			

—21

Nays:

Messrs.	Faulk	Martin	Sessions
Avery	Hain	Mashburn	Slate
Barnett	Ingram	NeSmith	Steagall
Blanton	Locke	Perry	Stembridge

—15

And said resolution, H.J.R. 105, was read and referred to the Standing Committee on Rules.

UNANIMOUS CONSENT GRANTED

Mr. Nettles requested unanimous consent to have his name removed as a co-author of the bill, H. 983, and it was so granted.

MOTION TO ADJOURN LOST

The motion of Mr. Hester that the House adjourn until Friday, August 2, 1963, at ten o'clock A.M. was lost.

Yeas 39; Nays 39.

Yeas:

Messrs.	Brown (Tuscaloosa)	Etheredge	NeSmith
Albea	Camp	Fite	Perry
Avery	Campbell (Jackson)	Gilmore	Rast
Bailes	Carr	Hester	Reynolds
Baker (DeKalb)	Casey	Holladay	Sessions
Bethea (B)	Collins	Ingram	Stembridge
Blanton	Cornett	Locke	Sullivan
Bolton	Daniel	Meade	Thomas
Branyon	Downing	Moore	Turner (Limestone)
Brown (Jefferson)	Engel	Morrow	Vacca

—39

Nays:

Mr. Speaker	Cates	Edwards (Lowndes)	Hogan
Barnett	Cook	Faulk	Jones (Covington)
Bethea (M)	Cooper	Fields	Little
Boston	Doggett	Goodwyn	McCorquodale
Bowers	Dominick	Grouby	McDermott
Burnham	Edington	Hannah	Mashburn
Callahan	Edwards (Escambia)	Heflin	Nabors

Nettles
Owens
Paulk

Pennington
Pierce
Powell

Slate
Steagall
Turner (Greenshaw)

Turnham
Wood

—39

BILLS ON THIRD READING RESUMED

H. 785. To appropriate \$300,000 annually or as much thereof as may be necessary from the Alabama Special Educational Trust Fund to the State Board of Education as a part of the Minimum Program Fund, in addition to all other appropriations in the Minimum Program Fund, for the education and training of exceptional children including the administration, maintenance, and operation of classrooms, classes, and teachers for such classes in accordance with Act No. 67, approved June 27, 1963.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker
Albea
Bailes
Barnett
Bassett
Bethea (B)
Bethea (M)
Blanton
Bolton
Boston
Bowers
Brown (Jefferson)
Brown (Tuscaloosa)
Burnham
Burns
Callahan
Camp
Campbell (Jackson)

Carr
Casey
Cates
Collins
Cook
Cooper
Cornett
Crawford
Daniel
Doggett
Dominick
Edington
Edwards (Escambia)
Edwards (Lowndes)
Engel
Faulk
Fite
Gilmore

Goodwyn
Grouby
Hannah
Heflin
Hester
Hogan
Ingram
Jones (Covington)
McCorquodale
McDermott
Martin
Mashburn
Meade
Meeks
Merrill
Morrow
Nabors
NeSmith

Nettles
Owens
Paulk
Pennington
Perry
Pierce
Powell
Reynolds
Sessions
Slate
Steagall
Sullivan
Thomas
Turner (Limestone)
Turnham
Vacca
Wood

—71

Nays:

Messrs.

Baker (DeKalb)

Holladay

Moore

—3

MOTION TO SUSPEND RULES ADOPTED

The motion of Mr. Salter to suspend the rules in order to take up for immediate consideration the third reading of the bill, H. 955, was adopted.

PASSAGE OF H. 955

And the bill:

H. 955. To authorize and create an additional judge of the Twenty-first Judicial Circuit of Alabama and to provide for his election, jurisdiction, powers, authority and qualifications; to render him liable to all the

pains and penalties of the other circuit judges of the state; to provide for the designation of each of the two offices of circuit judge of said circuit by number and to provide for the salary of said judge.

Was read a third time at length and passed, and ordered sent forth-with to the Senate without engrossment.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Casey	Goodwyn	NeSmith
Albea	Cates	Grouby	Nettles
Bailes	Collins	Hannah	Owens
Baker (DeKalb)	Cook	Hogan	Paulk
Barnett	Cooper	Ingram	Pierce
Bassett	Crawford	Jones (Covington)	Powell
Bethea (B)	Daniel	Little	Reynolds
Bolton	Doggett	Locke	Salter
Boston	Downing	McCorquodale	Sessions
Bowers	Edington	McDermott	Slate
Brown (Jefferson)	Edwards (Escambia)	Mashburn	Steagall
Burnham	Edwards (Lowndes)	Meade	Stembridge
Burns	Engel	Meeks	Sullivan
Callahan	Etheredge	Merrill	Turner (Limestone)
Camp	Faulk	Moore	Turnham
Campbell (Jackson)	Fite	Morrow	Vacca
Carr	Gilmore	Nabors	Wood

—68

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolution hereinafter mentioned was delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:25 P.M. On July 30, 1963

H.J.R. 86.

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Brown (Tuscaloosa) the House adjourned until Friday, August 2, 1963, at ten o'clock A.M.

Yeas 57; Nays 27.

Yeas:

Messrs.	Branyon	Carr	Doggett
Albea	Brown (Jefferson)	Casey	Downing
Bailes	Brown (Tuscaloosa)	Cook	Drake
Bethea (B)	Burnham	Cooper	Edwards (Lowndes)
Blanton	Callahan	Cornett	Etheredge
Bolton	Camp	Crawford	Fite
Boston	Campbell (Jackson)	Daniel	Gilmore

Hawkins	Meade	Perry	Steagall
Heflin	Meeks	Powell	Stembridge
Hester	Merrill	Rast	Sullivan
Hogan	Morrow	Reynolds	Thomas
Holladay	NeSmith	Rogers	Turner (Crenshaw)
Ingram	Paulk	Sessions	Turnham
Little	Pennington	Slate	Vacca
Locke			

—57

Nays:

Mr. Speaker	Cates	Goodwyn	Moore
Baker (DeKalb)	Collins	Grouby	Nettles
Barnett	Dominick	Hester	Owens
Bassett	Edington	Jones (Covington)	Pierce
Bethea (M)	Edwards (Escambia)	McCorquodale	Salter
Bowers	Engel	McDermott	Turner (Limestone)
Burns	Goldthwaite	Martin	Wood

—27